

2. The permit application shall also include relevant requirements of 40 C.F.R. Part 264, Subparts I through O and AA through CC, 40 C.F.R. Part 270, and 40 C.F.R. Part 63, Subpart EEE that are appropriate for the operation of the Reconfigured TDU, including an engineering report, waste analysis, monitoring and inspection requirements, and closure requirements set forth in 30 T.A.C. § 335.152(a)(13) [40 C.F.R. §§ 264.341, 264.347, and 264.351].

3. The Respondents shall also request that the issued RCRA permit modification include the following:

a. The feedstock limitations applicable to the operation of the oil reclamation unit under 40 C.F.R. § 261.6(a)(3)(iv)(C) set forth in Paragraph 69.D;

b. The investigation, recordkeeping, testing, and reporting requirements of 40 C.F.R. § 63.1206(c)(3) (v), (vi) and (vii);

c. Appropriate recordkeeping and reporting requirements; and

d. Any applicable risk-based terms and conditions necessary to protect human health and the environment.

4. The failure to timely submit a Class 3 Permit Modification to TCEQ and EPA within the deadline set forth in Paragraph 69.B.1 shall result in the termination of the Respondents' authorization to operate the Reconfigured TDU on that date unless that deadline has been extended pursuant to Section IV.F (Force Majeure).

5. By no later than three and one-half years (42 months) from the effective date of this CAFO, the Respondents must complete all permitting requirements and obtain issuance from the TCEQ of a final RCRA Subpart X permit for the TDU as a Subpart X – Miscellaneous Unit in accordance with 30 T.A.C. § 335.152(a)(16) [40 C.F.R. Part 264, Subpart X], 30 T.A.C. Chapter 305 [40 C.F.R. §§ 270.10 – 270.14, 270.19, 270.23, and 270.30 – 270.33], and which

incorporates the appropriate requirements of 40 C.F.R. Part 264, Subparts I through O and AA through CC, 40 C.F.R. Part 270, and 40 C.F.R. Part 63, Subpart EEE. In the event that TCEQ does not issue a RCRA Subpart X permit for the Reconfigured TDU as described above by the above deadline, the Respondents' authorization to operate the Reconfigured TDU terminates on that date, unless that deadline has been extended pursuant to Section IV.F (Force Majeure).

C. Compliance Demonstration Test

1. The Respondents shall perform a compliance demonstration test (CDT) in accordance with the approved CDT Plan, which is attached as Appendix C and incorporated by reference into the CAFO. The CDT requires the Respondents to demonstrate compliance with the emissions limits of 40 C.F.R. § 63.1219(b) set forth in Paragraph C.5, the destruction and removal efficiency standard of 40 C.F.R. § 63.1219(c)(1) set forth in Paragraph C.4, and establish limits for the operating parameters set forth in Paragraph 69.C.6 (Appendix 1, Table C).

2. Within sixty (60) days of the effective date of this CAFO, the Respondents shall submit to EPA for approval, with a copy to TCEQ, a Quality Assurance Project Plan (QAPP) for the CDT. The QAPP shall be prepared in accordance with the EPA Region 6 Guidance "Quick Reference Guide, Test Burn Program Planning for Hazardous Waste Combustion (HWC) Units" dated August 6, 2012. The Respondents shall implement the QAPP as approved or modified by EPA.

3. The Respondents shall implement the CDT in accordance with Appendix 3 within ninety (90) days after reconfiguration of the TDU pursuant to Paragraph 69.A.8 of this CAFO.

4. During the CDT, the Respondents must achieve a destruction and removal efficiency (DRE) of 99.99% for toluene, the designated principle organic hazardous constituent (POHC). The DRE shall be calculated in accordance with 40 C.F.R. § 63.1219(c)(1).

5. The emission limits that must be met during the CDT are set forth in 40 C.F.R. § 63.1219(b).

6. The operating parameters limits that will be established during the CDT are set forth in Appendix 1, Table C.

7. The Respondents must not exceed the emission limits set forth in 40 C.F.R. § 63.1219(b), and must achieve a DRE of 99.99% for toluene [as set forth in 40 C.F.R. § 63.1219(c)] for all three runs in order to have a successful CDT. If the Respondents determine, based on the results of analyses of stack samples, that they have exceeded any emission standard or failed to meet the DRE requirement during any of the three runs, they must immediately cease processing hazardous waste in the Reconfigured TDU. The Respondents must make this determination within forty-five (45) days following completion of the CDT. The Respondents may not resume operation of the Reconfigured TDU until the Respondents have submitted and received EPA approval of a revised CDT plan, at which time operations can resume to demonstrate compliance with the emission limits and DRE requirements during all of the three runs.

8. All analyses required by the CDT plan shall be performed by a NELAC accredited laboratory or by a laboratory pre-approved by TCEQ.

9. Within ninety (90) days from completion of the CDT, the Respondents shall submit a CDT Report to EPA and TCEQ prepared in accordance with requirements in the CDT Plan, documenting compliance with the DRE standard and emission limits set forth in Paragraphs 69.C.4 and 69.C.5, and identifying operating parameter limits and AWFCO settings for the parameters set forth in Appendix 1, Table C. The DRE standard, emission limits, operating parameter limits, and the AWFCO settings shall also be set forth in a separate Appendix entitled

“Reconfigured TDU Compliance Standards”. All data collected during the CDT (including, but not limited to, field logs, chain-of-custody documentation, monitoring data, sampling and analytical results, and any other data or calculations supporting the emissions calculations or operating parameter limits) must be submitted to EPA and TCEQ as part of the CDT Report. However, information in the CDT Report that is emissions data or a standard or limitation cannot be claimed as CBI. 40 C.F.R. § 2.301(e). If the Report contains any information that is claimed CBI, the Respondents shall provide a redacted version with all CBI deleted.

10. As of the date of the submission of the CDT Report, the Respondent shall comply with all operating requirements set forth in the “Reconfigured TDU Compliance Standards”, unless otherwise notified by EPA.

11. EPA will review the CDT Report. EPA will make a finding concerning compliance with the emissions standards, DRE requirements, and other requirements of the CDT. If EPA determines that the Respondents have met all the requirements, it shall issue a Finding of Compliance to the Respondents. If EPA determines that the Respondents did not meet all of the requirements, it shall issue a Finding of Non-Compliance. Subject to Paragraph 69.C.7 of this CAFO, the issuance of a Finding of Non-Compliance by EPA shall result in the termination of the Respondents’ authorization to operate the Reconfigured TDU on that date.

12. The failure to timely submit a CDT Report to EPA and TCEQ within ninety (90) days from completion of the CDT shall result in the termination of the Respondents’ authorization to operate the Reconfigured TDU on that date, unless that deadline has been extended pursuant to Section IV.F (Force Majeure).

D. Compliance with 40 C.F.R. § 261.6(a)(3)(iv)(C)

1. Unless the TDU and the tanks identified in Paragraph 20 are authorized by the RCRA Permit Modification required by Section III.B of this CAFO (or any subsequent permit amendment) to receive wastes that do not meet the requirements set forth in 40 C.F.R. § 261.6(a)(3)(iv)(C), feedstock for the oil reclamation unit shall consist only of non-hazardous waste, and oil-bearing hazardous waste from petroleum refining, production, and transportation practices. Oil-bearing hazardous waste from petroleum refining, production, or transportation practices includes the following listed hazardous waste from specific Petroleum Refining Sources (K049, K050, K051, K052, K169, and K170). Also acceptable is oil-bearing hazardous waste from processes which meet the definition of the following Standard Industrial Classification (SIC) codes and corresponding North American Industry Classification System (NAICS) codes (i.e., petroleum refining, production, and transportation practices) as follows:

SIC Code	SIC Description	NAICS Code	NAICS Title
1311	Crude Petroleum & Natural Gas	211111	Crude Petroleum and Natural Gas Extraction
1321	Natural Gas Liquids	211112	Natural Gas Liquid Extraction
1381	Drilling Oil & Gas Wells	213111	Drilling Oil and Gas Wells
1382	Oil & Gas Field Exploration Services (except geophysical mapping & surveying)	213112	Support Activities for Oil & Gas Operations
1389	Oil and Gas Field Services, NEC (except construction of field gathering lines, site preparation and related construction activities performed on a contract or fee basis)	213112	Support Activities for Oil and Gas Operations
2911	Petroleum Refining	324110	Petroleum Refineries
4612	Crude Petroleum Pipelines	486110	Pipeline Transportation of Crude Oil
4613	Refined Petroleum Pipelines	486910	Pipeline Transportation of Refined Petroleum Products

4789	Transportation Services, NEC (pipeline terminals and stockyards for transportation)	488999	All Other Support Activities for Transportation
4922	Natural Gas Transmission	486210	Pipeline Transportation of Natural Gas
4923	Natural Gas Transmission and Distribution (distribution)	221210	Natural Gas Distribution
4923	Natural Gas Transmission and Distribution (transmission)	486210	Pipeline Transportation of Natural Gas
5171	Petroleum Bulk Stations and Terminals (except petroleum sold via retail method)	488999	All Other Support Activities for Transportation
5172	Petroleum and Petroleum Products Wholesalers, Except Bulk Stations and Terminals (merchant wholesalers)	424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations and Terminals)

Nothing in this Section III.D shall be construed to preclude Respondents from seeking authorization from the TCEQ to process oil-bearing materials outside the scope of 40 C.F.R. § 261.6(a)(3)(iv)(C). However, the definition of oil-bearing hazardous waste from petroleum refining, production, or transportation practices set forth in this Paragraph shall remain the same.

2. Using feedstock from processes meeting the definition of the aforementioned SIC/NAICS Codes does not constitute compliance with 40 C.F.R. § 261.6(a)(3)(iv)(C) or this CAFO. The Respondents are required to make a separate determination whether the hazardous waste in question is “oil-bearing,” and that the hazardous waste was originally generated from petroleum refining, production, or transportation practices. The Respondents shall request that this provision be placed in the issued RCRA permit as applicable to the oil reclamation unit operation under 40 C.F.R. § 261.6(a)(3)(iv)(C).

E. TCEQ Submission, Revision, and Approval Process

1. For the Class 3 RCRA Permit Modification required be submitted to TCEQ for approval under this CAFO, TCEQ will review the application in accordance with 30 T.A.C.

§§ 281.3(c), 281.18 and 281.19(a) and (b). The Respondents must respond to any Notice of Deficiency (NOD), with a copy to EPA, within the time period specified by the TCEQ. In the event that the Respondents fail to submit a timely and complete NOD response, the Respondents' authorization to operate the TDU shall terminate on the NOD response deadline unless that deadline has been extended pursuant to Section IV.F (Force Majeure).

F. Additional Conditions

1. To comply with this CAFO, the Respondents must obtain a RCRA permit for the TDU as a Subpart X – Miscellaneous Unit in accordance with 30 T.A.C. § 335.152(a)(16) [40 C.F.R. Part 264, Subpart X], 30 T.A.C. Chapter 305 [40 C.F.R. §§ 270.10 – 270.14, 270.19, 270.23, and 270.30 – 270.33], and which incorporates the appropriate requirements of 40 C.F.R. Part 264, Subparts I through O and AA through CC, and 40 C.F.R. Part 270, and 40 C.F.R. Part 63, Subpart EEE.

2. The Respondents may seek relief under the provisions of Section IV.F of this CAFO (Force Majeure) for any delay in the performance of any such obligations resulting from a failure to obtain, or a delay in obtaining, any permit or approval required to fulfill such obligation, if the Respondent has submitted a timely and complete application and has taken all other actions necessary to obtain such permit or approval.

G. EPA Review and Comment on RCRA Permit

1. Nothing in this CAFO shall limit EPA's rights under applicable environmental laws or regulations, including, but not limited to, Section 3005(c)(3) of RCRA, 42 U.S.C. § 6925(c)(3), 40 C.F.R. § 270.32 and 40 C.F.R. § 271.19, to review, comment, and incorporate appropriate requirements of 40 C.F.R. Parts 264, Subparts I through O and Subparts AA through CC, and

40 C.F.R. Part 63, Subpart EEE directly into the permit or establish other permit conditions that are based on those parts; or take action under Section 3008(a)(3) of RCRA, 42 U.S.C.

§ 6928(a)(3), against the Respondents on the ground that the RCRA permit for the Reconfigured TDU does not comply with a condition that the EPA Region 6 Regional Administrator in commenting on the permit application or draft permit stated was necessary to implement approved State program requirements, whether or not that condition was included in the issued permit. If the Respondent disputes an action taken by EPA pursuant to 40 C.F.R. § 270.32 or 40 C.F.R. § 271.19, the Defendant may invoke Dispute Resolution in accordance with Section IV.E of this CAFO.

H. Submissions

In all instances in which this Compliance Order requires written submissions to EPA and TCEQ, each submission must be accompanied by the following certification:

“I certify under penalty of law to the best of my knowledge and belief, that the information contained in or accompanying this submission is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

All submissions must be certified on behalf of the Respondent(s) by the signature of a person authorized to sign a permit application or a report under 40 C.F.R. § 270.11.

I. Monitoring, Recordkeeping, and Record Retention Requirements

1. Upon the effective date of this CAFO, all interim operating parameters (Appendix 1, Table A), shakedown operating parameters (Appendix 1, Table B), and final operating parameters limits (Appendix 1, Table C and Paragraph 69.C.6) subject to AWFCO limits shall be monitored by the facility's Continuous Process Monitoring System (CPMS), which records data once per minute in an electronic data log (DLG). In addition, the Respondents shall keep copies

of all documents relating to compliance with the operating parameters limits not monitored by the CPMS, and all other documents relating to compliance with Section III of this CAFO. All records, including electronic records, shall be kept for a period of one year after termination of the CAFO. These monitoring and recordkeeping requirements are in addition to any other monitoring and/or recordkeeping requirements required by federal, state, or local laws, regulations, or permits. This information shall be made available to EPA and TCEQ upon request.

2. In addition, the Respondents shall preserve, for a period of one year after termination of the CAFO, all records and documents in its possession or in the possession of its divisions, employees, agents, contractors, or successors which in any way relate to this CAFO regardless of any document retention policy to the contrary. This information shall be made available to EPA and TCEQ upon request.

J. EPA Approval of Submissions

EPA will review the plans set forth in Paragraphs 69.A.11 (if applicable) and 69.C.2, and notify the Respondents in writing of EPA's approval or disapproval of the plan or any part thereof. Within the time specified, the Respondents shall address the deficiencies and submit a revised plan. EPA will approve, disapprove, or modify the revised submittal. EPA approved plans shall be incorporated by reference into this CAFO.

IV. TERMS OF SETTLEMENT

A. CIVIL PENALTY

70. Pursuant to the authority granted in Section 3008 of RCRA, 42 U.S.C. § 6928, and upon consideration of the entire record herein, including the Findings of Fact and Conclusions of Law, which are hereby adopted and made a part hereof, and upon consideration of the

seriousness of the alleged violations, the Respondents' good faith efforts to comply with the applicable regulations, and the June 2003 RCRA Civil Penalty Policy, it is hereby **ORDERED** that the Respondent U.S. Ecology Texas, Inc. be assessed a civil penalty of **ONE HUNDRED SIXTY-FIVE THOUSAND, SIX HUNDRED FIFTY-SEVEN DOLLARS (\$165,657)**, and the Respondent TD*X Associates L.P. be assessed a civil penalty of **SIX HUNDRED TWENTY-TWO THOUSAND, FOUR HUNDRED SIXTY-THREE DOLLARS (\$622,463)**. The Respondent USET shall pay the assessed civil penalty within thirty (30) days of the effective date of this CAFO. The Respondent TD*X Associates L.P. shall pay the assessed civil penalty in four (4) payments as follows:

Payment No. 1: \$157,978.35 within thirty (30) days of the effective date of this CAFO.

Payment No. 2: \$157,978.35 (\$153,268.99 civil penalty plus interest of \$4,709.36) within one year of the effective date of this CAFO.

Payment No. 3: \$157,978.35 (\$154,822.97 civil penalty plus interest of \$3,155.38) within two years of the effective date of this CAFO.

Payment No. 4: \$157,978.34 (\$156,392.69 civil penalty plus interest of \$1,585.65) within three years of the effective date of this CAFO.

71. The Respondents shall pay the assessed civil penalty by certified check, cashier's check, or wire transfer, made payable to "Treasurer, United States of America, EPA - Region 6". Payment shall be remitted in one of three (3) ways: regular U.S. Postal mail (including certified mail), overnight mail, or wire transfer. For regular U.S. Postal mail, U.S. Postal Service certified mail, or U.S. Postal Service express mail, the check(s) should be remitted to:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

For overnight mail (non-U.S. Postal Service, e.g. Fed Ex), the check(s) should be
remitted to:

U.S. Bank
Government Lockbox 979077
US EPA Fines & Penalties
1005 Convention Plaza
SL-MO-C2-GL
St. Louis, MO 63101
Phone No. (314) 418-1028

For wire transfer, the payment should be remitted to:

Federal Reserve Bank of New York
ABA: 021030004
Account No. 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045
Field Tag 4200 of the Fedwire message should read
"D 68010727 Environmental Protection Agency"

PLEASE NOTE: Docket numbers RCRA-06-2012-0936 (Respondent USET) and RCRA-06-2012-0937 (Respondent TD*X) shall be clearly typed on the respective checks to ensure proper credit. If payment is made by check, the check shall also be accompanied by a transmittal letter and shall reference the Respondent's name and address, the case name, and docket number of the CAFO. If payment is made by wire transfer, the wire transfer instructions shall reference the Respondent's name and address, the case name, and docket number of the CAFO. The Respondents shall also send a simultaneous notice of such payment, including a copy of the check and transmittal letter, or wire transfer instructions to the following:

Chief, Compliance Enforcement Section (6EN-HE)
Hazardous Waste Enforcement Branch
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Lorena Vaughn
Regional Hearing Clerk (6RC-D)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

The Respondents' adherence to this request will ensure proper credit is given when penalties are received in the Region.

72. The Respondents agree not to claim or attempt to claim a federal income tax deduction or credit covering all or any part of the civil penalty paid to the United States Treasurer.

73. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, unless otherwise prohibited by law, EPA will assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim. Interest on the civil penalty assessed in this CAFO will begin to accrue thirty (30) days after the effective date of the CAFO and will be recovered by EPA on any amount of the civil penalty that is not paid by the respective due date. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a). Moreover, the costs of the Agency's administrative handling of overdue debts will be charged and assessed monthly throughout the period the debt is overdue. *See* 40 C.F.R. § 13.11(b).

74. EPA will also assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) day period that the penalty remains unpaid. In addition, a

penalty charge of up to six percent per year will be assessed monthly on any portion of the debt which remains delinquent more than ninety (90) days. *See* 40 C.F.R. § 13.11(c). Should a penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. *See* 31 C.F.R. § 901.9(d). Other penalties for failure to make a payment may also apply.

B. PARTIES BOUND

75. The provisions of this CAFO shall apply to and be binding upon the parties to this action, their officers, directors, agents, employees, successors, and assigns. The undersigned representative of each party to this CAFO certifies that he or she is fully authorized by the party whom he or she represents to enter into the terms and conditions of this CAFO and to execute and to legally bind that party to it.

C. ADDITIONAL REQUIREMENTS

76. The Respondents shall undertake the following additional requirements:

A. The Respondents agree that the oil reclamation unit and the TDU are subject to the requirements of 40 C.F.R. Part 61, Subpart FF.

B. Within thirty (30) days of the effective date of the CAFO, the Respondents shall submit to EPA a certification that the following equipment in the oil reclamation unit and the TDU is not in “volatile hazardous air pollutant” (VHAP) service, as that term is defined by 40 C.F.R. § 61.241:

1. pumps;
2. compressors;
3. pressure relief devices;
4. sampling connection systems;
5. open-ended valves or lines;

6. valves;
7. connectors;
8. surge control vessels;
9. bottoms receivers; and
10. control devices and systems.

This certification shall be submitted in accordance with Paragraphs 76.H and 76.I.

C. Pursuant to 40 C.F.R. § 61.354(c), as of the effective date of this CAFO, the Respondents shall install, calibrate, maintain, and operate according to manufacturer's specifications, devices to continuously monitor the control devices operations required by 40 C.F.R. § 61.349.

D. Pursuant to 40 C.F.R. § 61.345(a), within 180 days of the effective date of the CAFO, the Respondents shall install, operate, and maintain covers on Bins 1, 2, 3, 4, and the Centrifuge solid bins that meet the requirements of 40 C.F.R. § 61.345(a)(1). The cover and openings shall be in a closed, sealed position at all times that waste is in the container except when it is necessary to use the opening for waste loading, removal, inspection or sampling, as required by 40 C.F.R. § 61.345(a)(1)(ii). The Respondents shall monitor the cover and all openings for no detectable emissions initially and thereafter at least once per year by the methods specified in 40 C.F.R. § 61.355(h).

E. The Respondents shall use a submerged fill pipe when transferring waste into the containers by pumping, as required by 40 C.F.R. § 61.345(a)(2).

F. Within ninety (90) days after the reconfiguration of the TDU pursuant to Paragraph 69.A.8 of this CAFO, the Respondents shall conduct performance tests for the TOU and the carbon adsorption system to demonstrate compliance with the requirements of 40 C.F.R.

§ 61.349. The performance tests shall be conducted in accordance with the requirements of 40 C.F.R. § 61.355. A copy of the performance test results shall be submitted to EPA within ninety (90) days of completion of the performance tests. The performance tests results shall be submitted in accordance with Paragraphs 76.H and 76.I.

G. Within 210 days of the effective date of the CAFO, the Respondents shall submit a written report to EPA showing compliance with Paragraphs 76.C, 76.D, and 76.E.

H. The certification and report identified in this Section must be accompanied by the following certification:

“I certify under penalty of law to the best of my knowledge and belief, that the information contained in or accompanying this submission is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

All submissions must be certified on behalf of the Respondent(s) by the signature of a person authorized to sign a permit application or a report under 40 C.F.R. § 270.11.

I. The certification and report required under this Section shall be sent to the following:

Craig Lutz
Toxics Enforcement Section (6EN-AT)
Compliance Assurance and Enforcement Division
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

D. STIPULATED PENALTIES

77. In addition to any other remedies or sanctions available to EPA, the Respondent(s) shall pay stipulated penalties in the following amounts for each day during which each failure or refusal to comply continues:

a. Failure to Timely Submit Reports or Plans - Paragraphs 69.A.11, 69.A.12, and 69.C.2

<u>Period of Noncompliance</u>	<u>Penalty Per Violation Per Day</u>
1st through 15th day	\$ 1,000
16th through 30th day	\$ 1,500
31st day and beyond	\$ 2,500

b. Failure to Comply with Certain Interim Operating Requirements – Paragraphs 69.A.5, 69.A.6, 69.A.7 (installation of AWFCO only), 69A.8, and 69.A.11

<u>Period of Noncompliance</u>	<u>Penalty Per Violation Per Day</u>
1st through 15th day	\$ 1,500
16th through 30th day	\$ 2,500
31st day and beyond	\$ 5,000

c. Failure to Comply with any Other Provision of Section III of this CAFO

<u>Period of Noncompliance</u>	<u>Penalty Per Violation Per Day</u>
1st through 15th day	\$ 500
16th through 30th day	\$ 1,000
31st day and beyond	\$ 1,500

d. Failure to Comply with Additional Requirements – Section IV.C

<u>Period of Noncompliance</u>	<u>Penalty Per Violation Per Day</u>
1st through 15th day	\$ 1,500
16th through 30th day	\$ 2,500
31st day and beyond	\$ 5,000

Penalties shall accrue from the date of the noncompliance until the date the violation is corrected, as determined by EPA.

78. The Respondent(s) shall pay stipulated penalties not more than fifteen (15) days after receipt of written demand by EPA for such penalties. Method of payment shall be in accordance with the provisions of Paragraph 71 herein. Interest and late charges shall be paid as stated in Paragraphs 73 - 74 herein.

79. Nothing in this agreement shall be construed as prohibiting, altering, or in any way limiting the ability of EPA to seek any other remedies or sanctions available by virtue of the Respondent(s) violation of this CAFO or of the statutes and regulations upon which this agreement is based, or for the Respondent's violation of any applicable provision of law.

E. DISPUTE RESOLUTION

80. If the Respondents object to any decision or directive of EPA in regard to Section III or IV.C, the Respondents shall notify each other and the following persons in writing of its objections, and the basis for those objections, within thirty (30) calendar days of receipt of EPA's decision or directive:

Associate Director
Hazardous Waste Enforcement Branch (6EN-H)
Compliance Assurance and Enforcement Division
U.S. EPA - Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

Chief, RCRA Enforcement Branch (6RC-ER)
Office of Regional Counsel
U.S. EPA - Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

81. The Associate Director of the Hazardous Waste Enforcement Branch or his/her designee (Associate Director), and the Respondents shall then have an additional thirty (30) calendar days from EPA's receipt of the Respondents' written objections to attempt to resolve the dispute. If an agreement is reached between the Associate Director and the Respondents, the agreement shall be reduced to writing and signed by the Associate Director and the Respondents and incorporated by reference into this CAFO.

82. If no agreement is reached between the Associate Director and the Respondents within that time period, the dispute shall be submitted to the Director of the Compliance

Assurance and Enforcement Division or his/her designee (Division Director). The Division Director and the Respondents shall then have a second 30-day period to resolve the dispute. If an agreement is reached between the Division Director and the Respondents, the resolution shall be reduced to writing and signed by the Division Director and the Respondents and incorporated by reference into this CAFO. If the Division Director and the Respondents are unable to reach agreement within this second 30-day period, the Division Director shall provide a written statement of EPA's decision to the Respondents, which shall be binding upon the Respondents and incorporated by reference into the CAFO.

83. If the Dispute Resolution process results in a modification of this CAFO, the modified CAFO must be approved by the Regional Judicial Officer and filed pursuant to Section IV.H (Modifications).

84. The invocation of dispute resolution procedures under this Section shall not extend, postpone, or affect in any way, any obligations of the Respondents under this CAFO, unless and until final resolution of the dispute so provides. Stipulated penalties with respect to the disputed matter shall continue to accrue from the first day of noncompliance, but payment shall be stayed pending resolution of the dispute. If the Respondents do not prevail on the disputed issue, stipulated penalties shall be assessed and paid as provided in Section IV.D.

F. FORCE MAJEURE

85. A "force majeure event" is any event beyond the control of the Respondents, their contractors, or any entity controlled by the Respondents that delays the performance of any obligation under this CAFO despite the Respondents' best efforts to fulfill the obligation. "Best efforts" includes anticipating any potential force majeure event and addressing the effects of any such event (a) as it is occurring and (b) after it has occurred, to prevent or minimize any resulting

delay to the greatest extent possible. "Force Majeure" does not include the Respondents' financial inability to perform any obligation under this CAFO, but does include any delays attributable to the TCEQ's permitting process and the conduct of the contested case hearing.

86. The Respondents shall provide notice orally or by electronic or facsimile transmission as soon as possible, but not later than 72 hours after the time the Respondents first knew of, or by the exercise of due diligence, reasonably should have known of, a claimed force majeure event. The Respondents shall also provide written notice, as provided in Section IV.G of this CAFO, within seven days of the time the Respondents first knew of, or by the exercise of due diligence, reasonably should have known of, the event. The notice shall state the anticipated duration of any delay; its cause(s); the Respondents' past and proposed actions to prevent or minimize any delay; a schedule for carrying out those actions; and the Respondents' rationale for attributing any delay to a force majeure event. Failure to give such notice shall preclude the Respondents from asserting any claim of force majeure.

87. The Respondent also shall provide notice orally or by electronic or facsimile transmission to the other Respondent not later than 24 hours after the time Respondent first knew of, or by the exercise of due diligence, reasonably should have known of, a claimed force majeure event, provided that the failure to give such notice shall not limit either Respondent's responsibilities under this CAFO.

88. If the Complainant agrees that a force majeure event has occurred, the Complainant may agree to extend the time for the Respondents to perform the affected requirements for the time necessary to complete those obligations. An extension of time to perform the obligations affected by a force majeure event shall not, by itself, extend the time to perform any other

obligation. Where the Complainant agrees to an extension of time, the appropriate modification shall be made pursuant to Section IV.H of this CAFO.

89. If the Complainant does not agree that a force majeure event has occurred, or does not agree to the extension of time sought by the Respondents, the Complainant's position shall be binding, unless the Respondents invokes Dispute Resolution under Section IV.D of this CAFO. In any such dispute, the Respondents bear the burden of proving, by a preponderance of the evidence, that each claimed force majeure event is a force majeure event; that the Respondents gave the notice required by the paragraph above, that the force majeure event caused any delay the Respondents' claimed was attributable to that event; and that the Respondents exercised their reasonable best efforts to prevent or minimize any delay caused by the event. If the Respondents carry this burden, the delay at issue shall be deemed not to be a violation of the affected obligation of this CAFO.

G. NOTIFICATION

90. Unless otherwise specified elsewhere in this CAFO, whenever notice is required to be given, whenever a report or other document is required to be forwarded by one party to another, or whenever a submission or demonstration is required to be made, it shall be directed to the individuals specified below at the addresses given (in addition to any action specified by law or regulation), unless these individuals or their successors give notice in writing to the other parties that another individual has been designated to receive the communication:

Complainant:

Chief, Compliance Enforcement Section (6EN-HE)
Hazardous Waste Enforcement Branch
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Respondent U.S. Ecology Texas, Inc.:

Mary Reagan
McGinnis, Lochridge & Kilgore, L.L.P.
600 Congress Avenue
Suite 2100
Austin, Texas 78701

Respondent TD*X Associates, L.P.:

J.D. Head
Fritz, Bryne, Head & Harrison, PLLC
98 San Jacinto Boulevard
Suite 2000
Austin, TX 78701

Texas Commission on Environmental Quality

Section Manager
Industrial and Hazardous Permits Section
Waste Permits Division
Texas Commission on Environmental Quality
P.O. Box 13087 MC 130
Austin, TX 78711

H. MODIFICATION

91. The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except as otherwise specified in this CAFO, or upon the written agreement of the Complainant and Respondent(s), and approved by the Regional Judicial Officer, and such modification or amendment being filed with the Regional Hearing Clerk.

I. RETENTION OF ENFORCEMENT RIGHTS

92. EPA does not waive any rights or remedies available to EPA for any other violations by the Respondents of Federal or State laws, regulations, or permitting conditions.

93. Except as herein provided, nothing in this CAFO shall limit the power and authority of EPA or the United States to take, direct, or order all actions to protect public health, welfare, or the environment, or prevent, abate or minimize an actual or threatened release of hazardous

substances, pollutants, contaminants, hazardous substances on, at or from the Respondent USET's facility or Respondent TD*X's oil reclamation unit and related equipment.

Furthermore, nothing in this CAFO shall be construed or to prevent or limit EPA's civil and criminal authorities, or that of other Federal, State, or local agencies or departments to obtain penalties or injunctive relief under other Federal, State, or local laws or regulations.

94. The Complainant reserves all legal and equitable remedies available to enforce the provisions of this CAFO. This CAFO shall not be construed to limit the rights of the EPA or United States to obtain penalties or injunctive relief under RCRA or under other federal or state laws, regulations, or permit conditions.

95. In any subsequent administrative or judicial proceeding initiated by the Complainant or the United States for injunctive relief, civil penalties, or other appropriate relief relating to this Facility or the oil reclamation unit, the Respondents shall not assert, and may not maintain, any defense or claim based upon the principles of waiver, res judicata, collateral estoppel, issue preclusion, claim preclusion, claim-splitting, or other defenses based upon any contention that the claims raised by the Complainant or the United States in the subsequent proceeding were or should have been brought in the instant case, except with respect to claims that have been specifically resolved pursuant to this CAFO.

96. This CAFO is not a permit, or a modification of any permit, under any federal, State, or local laws or regulations. The Respondents are responsible for achieving and maintaining complete compliance with all applicable federal, State, and local laws, regulations, and permits. The Respondents' compliance with this CAFO shall be no defense to any action commenced pursuant to any such laws, regulations, or permits, except as set forth herein. The Complainant does not warrant or aver in any manner that the Respondents' compliance with any aspect of this

CAFO will result in compliance with provisions of the RCRA or with any other provisions of federal, State, or local laws, regulations, or permits.

J. INDEMNIFICATION OF EPA

97. Neither EPA nor the United States Government shall be liable for any injuries or damages to person or property resulting from the acts or omissions of the Respondents, their officers, directors, employees, agents, receivers, trustees, successors, assigns, or contractors in carrying out the activities required by this CAFO, nor shall EPA or the United States Government be held out as a party to any contract entered into by the Respondents in carrying out the activities required by this CAFO.

K. COSTS

98. Each party shall bear its own costs and attorney's fees. Furthermore, each Respondent specifically waives its right to seek reimbursement of its costs and attorney's fees under 5 U.S.C. § 504 and 40 C.F.R. Part 17.

L. TERMINATION

99. At such time as the Respondents believe they have completed all of the requirements of this CAFO, they may request that EPA concur whether all of the requirements of this CAFO have been satisfied. Such request shall be in writing and shall provide the necessary documentation to establish whether there has been full compliance with the terms and conditions of this CAFO. EPA will respond to said request in writing within ninety (90) days of receipt of the request. This CAFO shall terminate when all actions required to be taken by this CAFO have been completed, and the Respondents have been notified by the EPA in writing that this CAFO has been satisfied and terminated.


M. EFFECTIVE DATE

100. This CAFO, and any subsequent modifications, become effective upon filing with the Regional Hearing Clerk.

THE UNDERSIGNED PARTIES CONSENT TO THE ENTRY OF THIS CONSENT AGREEMENT AND FINAL ORDER:

FOR THE RESPONDENT:

Date: 9/27/12


US Ecology Texas, Inc.

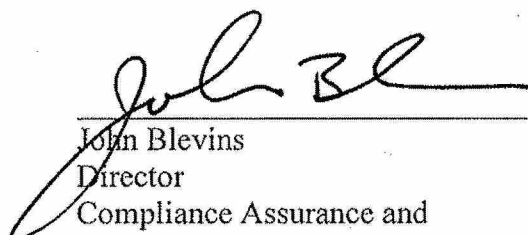
FOR THE RESPONDENT:

Date: September 26, 2012

Carl R. Palmer
TD*X Associates L.P.

FOR THE COMPLAINANT:

Date: 10.03.12

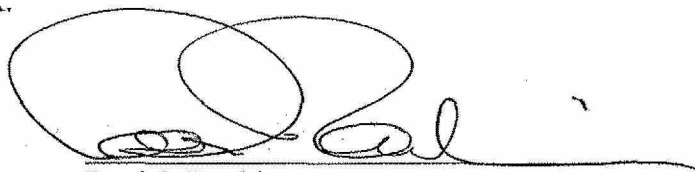


John Blevins
Director
Compliance Assurance and
Enforcement Division

FINAL ORDER

Pursuant to the Section 3008 of RCRA, 42 U.S.C. § 6928, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, 40 C.F.R. Part 22, the foregoing Consent Agreement is hereby ratified. This Final Order shall not in any case affect the right or EPA or the United States to pursue appropriate injunctive relief or other equitable relief for criminal sanctions for any violations of law. This Final Order shall resolve only those causes of action alleged herein. Nothing in this Final Order shall be construed to waive, extinguish or otherwise affect the Respondents' (or their officers, agents, servants, employees, successors, or assigns) obligation to comply with all applicable federal, state, and local statutes and regulations, including the regulations that were the subject of this action. The Respondents are ordered to comply with the Compliance Order and terms of settlement as set forth in the Consent Agreement. Pursuant to 40 C.F.R. § 22.31(b), this Final Order shall become effective upon filing with the Regional Hearing Clerk.

Date: 10/4/12

A handwritten signature in black ink, appearing to read 'Patrick Rankin', written over a horizontal line.

Patrick Rankin
Regional Judicial Officer

APPENDIX 1 – OPERATING PARAMETERS

TABLE A

TDU OIL RECLAMATION SYSTEM INTERIM REQUIREMENTS PRIOR TO TOU INSTALLATION

Tag No.	Equipment Operating Parameter	Operating Parameter Limit	Compliance Basis
TT-18/19	TDU Dryer, Minimum Combustion Chamber Temperature	Maintain Temperature > 1,400°F	AWFCO: CPMS ¹ , 60-sec time delay
PT-1	TDU Dryer, Maximum Internal Pressure	Maintain Pressure < 0.00" W.C.	AWFCO: CPMS, 6-min Rolling Average (RA) ²
OE-1	Purge Vent Gas Stream Maximum O ₂ Concentration	O ₂ < 7%	AWFCO: CPMS, 60-sec time delay
FE-101	Maximum Purge Vent Rate	Purge Vent Rate < 180 scfm	AWFCO: CPMS, Hourly Rolling Average (HRA) ³
M-100	Minimum Percent Excess Air, Operation of Purge Vent Injector Air Supply	Purge Vent Air Supply > 20% Excess Air	AWFCO: CPMS, Tuning of Combustion Airflow
TE-28	Maximum Condenser System Exhaust Temperature	Temperature < 120°F	AWFCO: CPMS, HRA
	HEPA Filter Installed and Pressure Change Monitored to Ensure Integrity of Filter	Installed and Δ Pressure Monitoring	Installation Check; Δ Pressure Monitored Once Per Shift
	Maximum TDU Feed Mercury Concentration	[Hg] < 50 ppm/Bin	Blending Protocols & Documentation ⁴
	Maximum TDU Feed Organic Halide Concentration	[Total Organic Halides] < 1,500 ppm/Bin	Blending Protocols & Documentation

¹ Continuous Process Monitoring System – See Paragraph 69.I of CAFO.

² Previous six 1-minute readings are summed and divided by six.

³ 40 C.F.R. §§ 63.1209(b)(5).

⁴ See Paragraph 69.A.3 of the CAFO.

TABLE B

**TDU OIL RECLAMATION SYSTEM REQUIREMENTS AFTER TOU INSTALLATION
PRE-COMPLIANCE DEMONSTRATION TEST OPERATIONS**

Tag No.	Equipment Operating Parameter	Shakedown (Pre-Test) OPL	Compliance Basis
PT-1	TDU Dryer, Maximum Internal Pressure	Maintain Pressure < 0.00" W.C.	AWFCO: CPMS ⁵ , 6-min RA ⁶
M-05	TDU Dryer, Cylinder Rotation On	Motor Operating	AWFCO: CPMS, Instantaneous
M-18	Product Discharge System	Motor Operating	AWFCO: CPMS, Instantaneous
M-21	Recirculation Blower Operating	Motor Operating	AWFCO: CPMS, Instantaneous
TT-121	TOU, Minimum Combustion Chamber Temperature	Maintain Temperature > 1,400°F	AWFCO: CPMS, HRA ⁷
KY-110	TOU, Minimum Residence Time (Calculated from Purge Vent Flow Rate, Exhaust T, and Air Ratio)	Residence Time > 0.5 seconds	AWFCO: CPMS, HRA
AE-5/ OE-5	TOU Exhaust Gas, Maximum CO Concentration	[CO] < 100 ppmV @ 7% O ₂	AWFCO: CEMS for CO, HRA
OE-1	Purge Vent Gas Stream, Maximum O ₂ Concentration	[O ₂] < 7%	AWFCO: CPMS, Instantaneous
FE-101	Maximum Purge Vent Rate	Vent Flow < 250 scfm	AWFCO: CPMS, HRA
FCV-102	Valve Position to Ensure Purge Vent is not Directed Away from TOU	Valve Closed	AWFCO: CPMS, 60-sec delay
M-121	Minimum Percent Excess Air, Operation of Purge Vent Injector Air Supply	Purge Vent Air Supply > 20% Excess Air	AWFCO: CPMS, Tuning of Combustion Airflow
TE-28	Maximum Condenser System Exhaust Temperature	Maintain Temperature < 120°F	AWFCO: CPMS, HRA

⁵ Continuous Process Monitoring System – See Paragraph 69.I of the CAFO.

⁶ Previous six 1-minute readings are summed and divided by six.

⁷ 40 C.F.R. §§ 63.1209(a)(6) and 63.1209(b)(5).

	HEPA Filter Installed and Pressure Change Monitored to Ensure Integrity of Filter	Installed and Δ Pressure Monitoring	Installation Check; Δ Pressure Monitored Once Per Shift
	Maximum TDU Feed Mercury Concentration	[Hg] < 50 ppm/Bin	Blending Protocols & Documentation ⁸ , Feed Stream Analysis Plan (if applicable) ⁹
	Maximum TDU Feed Organic Halide Concentration	[Total Organic Halides] < 1,500 ppm/Bin	Blending Protocols & Documentation, Feed Stream Analysis Plan (if applicable)
	Maximum TDU Feed Semi-Volatile Metals Concentration ¹⁰	N/A	Blending Protocols & Documentation, Feed Stream Analysis Plan (if applicable)
	Maximum TDU Feed Low-Volatile Metals Concentration ¹¹	N/A	Blending Protocols & Documentation, Feed Stream Analysis Plan (if applicable)

⁸ See Paragraph 69.A.3 of the CAFO.

⁹ See Paragraph 69.A.11 of the CAFO.

¹⁰ Semi-volatile metals means a combination of cadmium and lead.

¹¹ Low-volatile metals means a combination of Arsenic, Beryllium, and Chromium.

TABLE C

**TDU OIL RECLAMATION REQUIREMENTS AFTER TOU INSTALLATION
POST-COMPLIANCE DEMONSTRATION TEST OPERATIONS**

Tag No.	Equipment Operating Parameter	Interim/Final (Post-Test) OPL	Compliance Basis
PT-1	TDU Dryer, Maximum Internal Pressure	Maintain Pressure < 0.00" W.C.	AWFCO: CPMS ¹² , 6-min RA ¹³
M-05	TDU Dryer, Cylinder Rotation On	Motor Operating	AWFCO: CPMS, Instantaneous
M-18	Product Discharge System	Motor Operating	AWFCO: CPMS, Instantaneous
M-21	Recirculation Blower Operating	Motor Operating	AWFCO: CPMS, Instantaneous
TT-121	TOU, Minimum Combustion Chamber Temperature	OPL Established @ > 3-Run Average from CDT	AWFCO: CPMS, HRA ¹⁴
KY-110	TOU, Minimum Residence Time (Calculated from Purge Vent Flow Rate, Exhaust T, and Air Ratio)	Residence Time > 0.5 seconds	AWFCO: CPMS, HRA
AE-5/ OE-5	TOU Exhaust Gas, Maximum CO Concentration	Semi-Annual Testing until Waste Analysis Plan Approved, then Annual Testing	Performance Testing in lieu of CEMS; Waste Analysis Plan based with other OPLs
OE-1	Purge Vent Gas Stream, Maximum O ₂ Concentration	[O ₂] < 7%	AWFCO: CPMS, Instantaneous
FE-101	Maximum Purge Vent Rate	Vent Flow < 250 scfm	AWFCO: CPMS, HRA
FCV-102	Valve Position to Ensure Purge Vent is not Directed Away from TOU	Valve Closed	AWFCO: CPMS, 60-sec time delay
M-121	Minimum Percent Excess Air, Operation of Purge Vent Injector Air Supply	Purge Vent Air Supply > 20% Excess Air	AWFCO: CPMS, Tuning of Combustion Airflow

¹² Continuous Process Monitoring System – See Paragraph 69.I of CAFO.

¹³ Previous six 1-minute readings are summed and divided by six.

¹⁴ 40 C.F.R. §§ 63.1209(a)(6) and 63.1209(b)(5).

TE-28	Maximum Condenser System Exhaust Temperature	OPL Established @ < 3-run Average Based on CDT	AWFCO: CPMS, HRA
	HEPA Filter Installed and Pressure Change Monitored to Ensure Integrity of Filter	Installed and Δ Pressure Monitoring	Installation Check; Δ Pressure Monitored Once Per Shift
	Maximum TDU Feed Mercury Concentration	[Hg] < 50 ppm/Bin	Blending Protocols & Documentation ¹⁵ , Feed Stream Analysis Plan (if applicable) ¹⁶
	Maximum TDU Feed Organic Halide Concentration	OPL Established as Measured Ratio ¹⁷	Blending Protocols & Documentation, Feed Stream Analysis Plan (if applicable)
	Maximum TDU Feed Semi-Volatile Metals Concentration ¹⁸	OPL Established as Measured Ratio ¹⁹	Blending Protocols & Documentation, Feed Stream Analysis Plan (if applicable)
	Maximum TDU Feed Low-Volatile Metals Concentration ²⁰	OPL Established as Measured Ratio ²¹	Blending Protocols & Documentation, Feed Stream Analysis Plan (if applicable)

¹⁵ See Paragraph 69.A.3 of the CAFO.

¹⁶ See Paragraph 69.A.11 of the CAFO.

¹⁷ Maximum TDU Feed Concentration established as a measured ratio (not to exceed 4000 ppm/bin) from emissions data collected during CDT. See plan example calculations.

¹⁸ Semi-volatile metals means a combination of cadmium and lead.

¹⁹ Maximum TDU Feed Concentration established as measured ration from emissions data collected during CDT. See plan example calculations.

²⁰ Low-volatile metals means a combination of Arsenic, Beryllium, and Chromium.

²¹ Maximum TDU Feed Concentration established as measured ratio from emissions data collected during CDT. See plan example calculations.

APPENDIX 2 – BLENDING PROTOCOLS

**CONTAINS CONFIDENTIAL BUSINESS
INFORMATION**

DOCUMENT STORED IN FILE ROOM

APPENDIX 3

COMPLIANCE DEMONSTRATION TEST PLAN

**CONTAINS CONFIDENTIAL BUSINESS
INFORMATION**

DOCUMENT STORED IN FILE ROOM

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of October, 2012, the original and one copy of the foregoing Consent Agreement and Final Order (CAFO) was hand delivered to the Regional Hearing Clerk, U.S. EPA - Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and that true and correct copies of the CAFO were sent to the following by the method indicated below:

For US Ecology Texas, Inc.

Certified Mail – Return Receipt Requested – 7007 0710 0002 1385 1491

Mary Reagan
McGinnis, Lochridge & Kilgore, L.L.P.
600 Congress Avenue, Suite 2100
Austin, Texas 78701

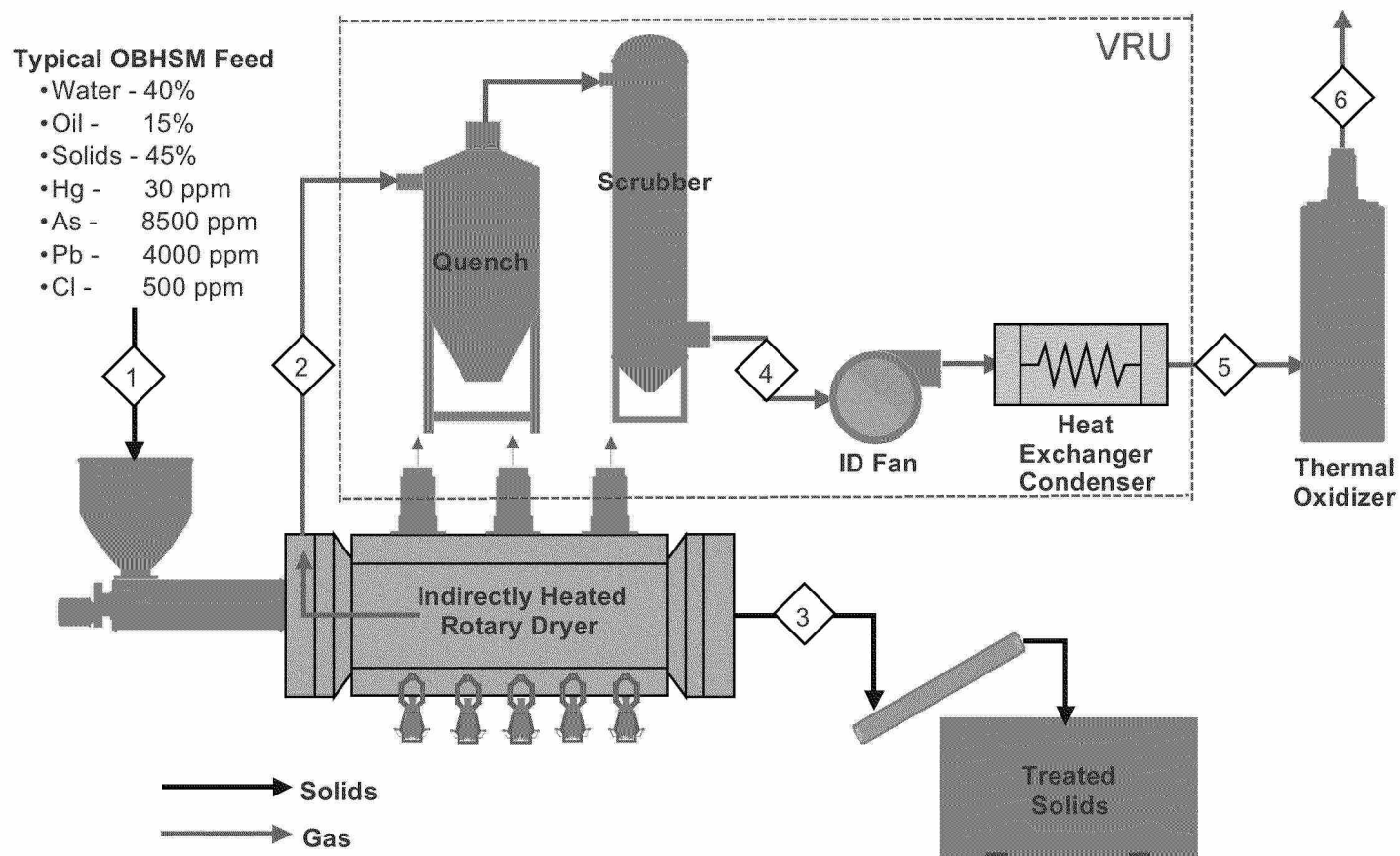
For TD*X Associates LP

Certified Mail – Return Receipt Requested – 7007 0710 0002 1385 1507

J.D. Head
Fritz, Bryne, Head & Harrison, PLLC
98 San Jacinto Boulevard
Suite 2000
Austin, TX 78701

Evan L Pearson

Thermaldyne Process



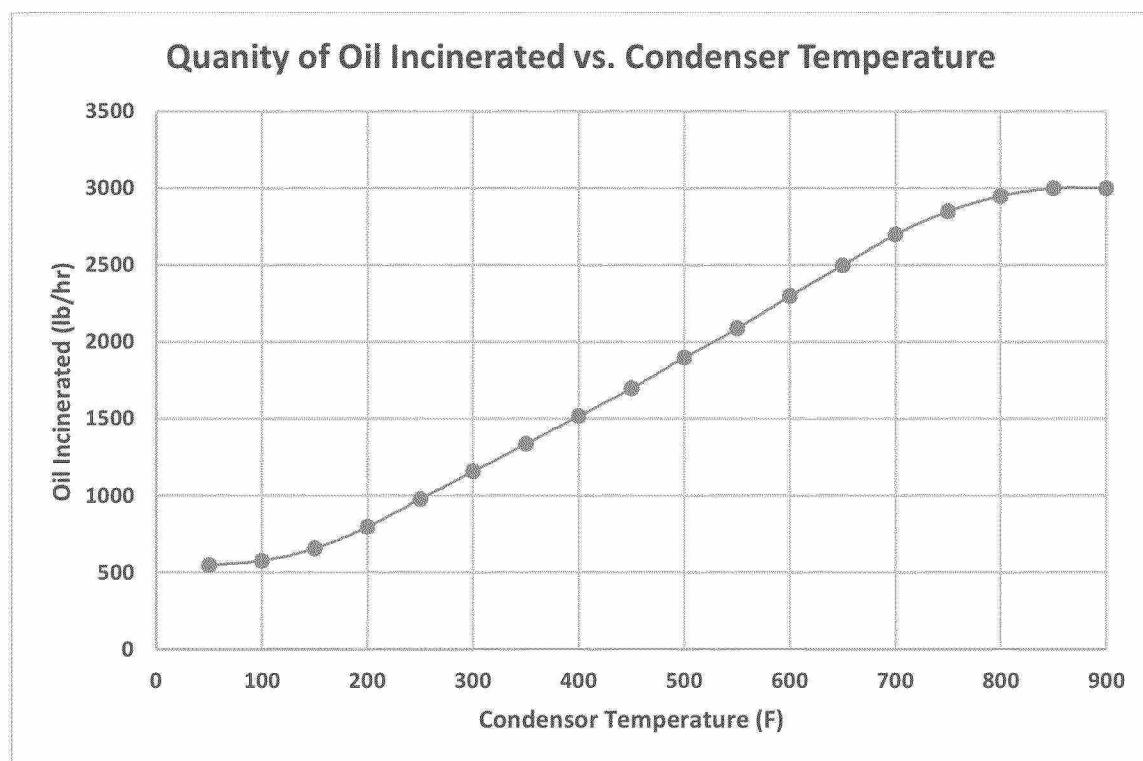
STREAM NO. COMPONENT	1	2	3	4	5	6
	SLUDGE FEED TO DRYER	DRYER VENT GAS	DRYER SOLIDS	SCRUBBER EXHAUST GAS	HEAT EXCHANGER EXHAUST GAS	THERMAL OXIDIZER EXHAUST GAS
CO ₂ LB/HR						2,041
O ₂ LB/HR		521		521	521	2,530
N ₂ LB/HR		1,729		1,729	1,729	15,472
H ₂ O LB/HR	8,000	8,017		9,303	369	1,236
SOLIDS / PARTICULATE LB/HR	9,000	450	8,550	2.3	2.3	2.3
OIL / HYDROCARBONS LB/HR	3,000	3,000		800	600	6
TOTAL MASS FLOW LB/HR	20,000	13,717	8,550	12,355	3,221	21,286
VOLUMETRIC FLOW ACFM		7,452		5,495	971	18,715
LIQUID FLOW GPM						
TEMPERATURE °F	70	400	850	198	130	1600
PRESSURE IN. W.C.	0.0	-1.0	0.0	-25.0	2.0	0.0
ENTHALPY MM BTU/HR	0.1	10.8	1.7	10.6	0.5	10.3

Stack Emissions 6	Units	MACT EEE	Thermaldyne	LDEQ Air Permit
Particulate Matter	gr/dscf	0.0016	0.09	No Limit
Dioxins and Furans	ng/dscm	0.2	2.2	No Limit
Mercury	ug/dscm	8.1	55,086	No Limit
Arsenic	ug/dscm	23	3,558	No Limit
Lead	ug/dscm	10	1,674	No Limit
HCl	ppmV	21	122	No Limit
Particulate Matter	lb/hr	0.040	2.28	No Limit
Dioxins and Furans	lb/hr	2.18E-09	2.40E-08	No Limit
Mercury	lb/hr	0.00009	0.6	No Limit
Arsenic	lb/hr	0.00025	0.039	No Limit
Lead	lb/hr	0.00011	0.018	No Limit
HCl	lb/hr	0.35	2.0	No Limit

The PFD and emissions estimates presented on the previous page assumed a conservative condenser outlet temperature of 130°F (Stream 5). But Section 3.2.4 of the Thermaldyne document “Verified Reclamation Facility Operation Description” describes the operation of the Vapor Recovery Unit as follows:

After the vent gas reaches the condenser (indirect heat exchanger), the gas temperature is reduced to less than 300°F to remove residual hydrocarbon vapors (the lighter hydrocarbons) from the gas stream. After gas exits the condenser, it is routed through a flame arrester before being discharged into the thermal oxidizer for final polishing prior to discharge to the atmosphere.

The quantity of hydrocarbon vapor that will be incinerated in the thermal oxidizer is a direct function of this condenser operating temperature as approximated in the following figure. At an OBHSM feed rate of 10 ton/hr and a condenser temperature of 300°F, over 1,100 lb/hr of oil contained in the feed will be incinerated in the thermal oxidizer. Since the permit does not impose any operating restrictions or temperature limits of any kind, there is actually no limit on the amount of oil that may be incinerated at the proposed Port Allen facility.



Message

From: Guernica, Mimi [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C8A7D898ED74B678830C17EE521A045-MGUERNIC]
Sent: 8/24/2017 9:59:26 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]; Kohler, Amanda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=665a6cdd3371457fb03d5184f58f7a4a-Kohler, Amanda]
CC: Gaines, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c0ce5613e3c245b09c6ccad71cf3062a-JGAINE02]
Subject: FW: 2017 EI Digest Gathering Speakers/Panel Participants
Attachments: Unofficial Attendee List 2017 EI Digest Gathering 8-10-17.pdf; 2017 EI Digest Gathering Draft Agenda Updated 8-17-17 1040.doc

See agenda. Thermal treatment and desorption are on the agenda and Tradebe (and others) will attend.

From: Johnson, Barnes
Sent: Wednesday, August 23, 2017 7:47 AM
To: OLEM ORCR DDS <OLEMORCRDDS@epa.gov>
Cc: ORCR IO <ORCR_IO@epa.gov>; Lopez, Laura <Lopez.Laura@epa.gov>
Subject: FW: 2017 EI Digest Gathering Speakers/Panel Participants

FYI – please note the attendees and agenda. We will be calling upon the office to help develop slides for my presentation at this event coming up in late September.

Barnes Johnson



USEPA | Resource Conservation and Recovery | Tel 703-308-8895 |
johnson.barnes@epa.gov | [@EPALand](#)

From: Arlette [<mailto:abarnhiser@envirobiz.com>]
Sent: Thursday, August 17, 2017 11:46 AM
To: Arlette <abarnhiser@envirobiz.com>
Subject: 2017 EI Digest Gathering Speakers/Panel Participants

Dear EI Digest Gathering Speakers, and Panel Participants:

Attached is the latest Agenda and Attendee List, please look it over and send me any corrections via Email ASAP.

Speakers and Panel Participant, what I need from you, as soon as possible

-  Short Bio
-  Photo (if you have one)

Panel participant, we will send questions out the beginning of September.

- Speakers,
-  A title for your presentation with a brief description.

■ a copy of your presentation, preferably by Sept 12. Also make sure you have a copy with you on a UB Drive at the Gathering

Looking forward to seeing you all soon.

Arlette Barnhiser

*2017 El Digest Gathering
September 18-21, 2017
Coronado Island Marriott
San Diego, CA*

Arlette Barnhiser
The Envirobiz Group
6100 Golden Valley Road
Minneapolis, MN 55422
abarnhiser@envirobiz.com
952-831-2473

Draft 2017 El Digest Gathering Agenda

Monday, September 18, 2017

11:30 am to 6:00 pm *Golf Outing, sponsored by Clean Earth Systems*

6:00 pm to 8:00 pm *Evening Reception, Sponsored by Waste Management*

Tuesday, September 19, 2017

7:30 am to
9:00 am

Opening Registration

9:00 am Envirobiz - Cary Perket, President

9:10 am USEPA - Mr. Barnes Johnson, Director, Office of Resources Conservation and Recovery (50 min)

10:00 am DTSC – Ms. Nelline Kowbel, Permitting Division Chief, Acting (30 min)

10:30 am Break - (*Sponsored by Heritage Environmental*)

10:45 am USGS - Mr. Michael George, (30 min)

11:00 am Panel – Mercury Recovery

- LEI - Mr. Larry Fannaly, VP of Sales and Operations
- Lighting Resources - Mr. Bruce Knight, VP Strategic Marketing
- Veolia – Mr. Fred Ribelli, National Sales Manager, Electronic Recycling Division
- Aircycle - Mr. Jim Hattler, EVP Sales and Marketing
- USGS - Mr. Michael George, XXX

11:30 am Panel – Independent Waste Services

- AET – Mr. Frank Virginia, Senior Vice President
- Clean Earth - Mr. Howard Ray, Business Development
- Sumter- Mr. Gary Higginbotham, Vice President of Sales
- Pacific Trans - Mr. Michael Jeffries, Vice President, General Manager
- Covanta- Mr. Steve Diaz, Vice President

12:00-1:00 LUNCH (*sponsored by LEI*)

1:00 pm Covanta – Company Update – Mr. Paul Stauder, President (30 Min)

1:30 pm Panel – Used Hydrocarbon Management (Fuel Blending, Solvent Recovery,

Used Oil)

- Clean Harbors - TBA
- Heritage-Crystal Clean - Mr. Glenn Casbourne
- Heritage Environmental - Mr. Dale Welch, Vice President
- Tradebe - TBA
- Veolia - Mr. Daniel Compton, Reclaimed Product Line Manager
- Fielding Environmental - Mr. Kyle Imrie, President
- Green America - Mr. Pat Arnold, General Manager

2:00 pm - Cummins Westport - Mr. Hugh D. Donnell, North American OEM Truck Business and Market Segment Leader (30 min)

2:30 pm - Battery Technology – Mr. Shane Thompson, VP Corporate Development (30 min)

3:00 pm BREAK – (*Sponsored by Heritage Environmental*)

3:15 pm - Energy Presentation # 1 – Mr. Jim Williams, WTRG Economics, Owner/President (45 min)

4:00 pm - Energy Presentation #1 – Mr. Todd (Ike) Kiefer, US Navy, Retired (45 min)

5:30-8:00 pm Evening Reception, Bocce Ball, (*Sponsored by Lighting Resources*)

Wednesday, September 20, 2017

7:30 am to
9:00 am

Registration

9:00 am - Energy Presentation #2 - Mr. Jim Williams, WTRG Economics, Owner/President (45 min)

9:45 am - Energy Presentation #2 - Mr. Todd (Ike) Kiefer, US Navy, Retired (45 min)

10:30 am BREAK (*Sponsored by Pacific Trans*)

10:45 am - Energy & Metal Recovery for E Waste Itronics - Mr. John Whitney, President (30 min)

11:15 am - Company Update – Continental Cement - Mr. Pat Arnold, General Manager (30 min)

11:45 am - Panel - Energy Recovery

- Cadence Environmental Energy- Mr. Bernie Sabbert, National Accounts Manager

- Systech – Mr. Shawn McMullen,
- Tradebe - TBA
- Buzzi Unicem -TBA
- Covanta – Mr. Michael Williams, Vice President, Customer Care
- Continuus Energy - Mr. Rich Cochrane, Senior Vice President Business Development
- Green America - Mr. Pat Arnold, General Manager

12:15 pm - LUNCH (*Sponsored by Covanta*)

1:15 pm - Panel – Thermal Treatment (Incineration & Thermal Desorption)

- Heritage - Mr. Rudy Streng, Senior Vice President
- Ross - Mr. Gary Vidmer, Executive VP, Sales and Marketing
- Clean Harbors - TBA
- Veolia - Mr. Jim Dykhuis, Marketing Director
- Alcoa - Mr. Britt Scheer, Director Commercial/Strategic/Environmental Carbon Group
- US Ecology - Mr. Jim Hubbard, Regional Sales Manager

1:45 pm - Perspective On Recent Acquisitions in Waste Sector – Mr. Paul Jones - Raymond James, Managing Director (30 min)

2:15 pm - Clean Harbors Environmental Services - Recent Acquisitions & Company Updates

2:45 pm - Heritage Environmental Services – Recent Acquisitions & Company Updates - Mr. Jeff Laborsky, CEO (30 min)

3:15 pm BREAK (*Sponsored By Heritage Environmental*)

3:30 pm - Tradebe – Recent Acquisitions & Company Updates (30 min)

4:00 pm - US Ecology – Recent Acquisitions & Company Updates - Mr. Matt Dahl, VP Development & Strategic Planning (30 min)

4:30 pm - Veolia Technical Services – Recent Acquisitions & Company Updates - Mr. Bob Cappadona, President

5:00 pm - Executive Panel of Company with Updates & Financial Representative

- Clean Harbors - TBA
- Tradebe - TBA

- Heritage Environmental - Mr. Jeff Laborsky, CEO
- Veolia - Mr. Bob Cappadona, President
- US Ecology – Mr. Matt Dahl, VP, Development & Strategic Planning
- Covanta – Mr. Paul Stauder, President

5:30 pm – 8:00 pm *Evening Reception, Sponsored by Clean Harbors*

Thursday, September 21, 2017

7:30 am to 8:00 am

Registration

8:00 am Trends in Hazardous Waste Generation (Part 1) -The Envirobiz Group

9:30 am BREAK (*Sponsored By Heritage Environmental*)

9:45 am Trends in Hazardous Waste Generation (Part 2) - The Envirobiz Group

11.00 am Session Ends

1:00 pm - Dusk

Fishing, Sponsored by Veolia Environmental

Message

From: Elliott, Ross [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=33CB08013CC94C21A3E3236DBAD4C4A4-REELLIOT]
Sent: 8/24/2017 4:40:34 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: Request for meeting on TDUs

I will be out of the office from Monday, August 7th to Tuesday, September 5th.

Appointment

From: Radtke, Meghan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7A364F0FAAD54A79BE238288FA3496CF-RADTKE, MEGHAN]
Sent: 8/21/2017 1:12:00 PM
To: Sasseville, Sonya [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9302bd775fa84bebbbe0c430316f76c6-SSASSEVI]; Guernica, Mimi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c8a7d898ed74b678830c17ee521a045-MGUERNIC]; Kohler, Amanda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=665a6cdd3371457fb03d5184f58f7a4a-Kohler, Amanda]; Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]; Behan, Frank [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b37b3a6d67644ad3bf5717d99610941e-FBEHAN]; Atagi, Tracy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ebcfd670077440dfb63a691749f20af2-TATAGI]; Young, Jessica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=26404c78d3dc441f810ac723cf8f9d49-JBIEGELS]; Elliott, Ross [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33cb08013cc94c21a3e3236dbad4c4a4-REELLIOT]; Devlin, Betsy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b76a4bf5afc84459a6bf2a6a4645f40f-BDEVLIN]; Huggins, Richard [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0314e81a1f4843fcbbe0910cfddd53f4-Huggins, Richard]; Nisbett, Deana [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1e5bb397b38a4c7dbdab3777a9c61c5e-Nisbett, Deana]; Radtke, Meghan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7a364f0faad54a79be238288fa3496cf-Radtke, Meghan]
CC: Gerhard, Sasha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=409f48684eb4422cb13177fc9702d0fa-Gerhard, Sasha]; Celeste, Laurel [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=8f5194a050ce4b758e02e6835fe0b43d-Celeste, Laurel]; Sager, John [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b9aaed0c9130464bb2bc9c8c7c265061-JSAGER]; Swetland-Johnson, Karen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a916f4dac0d84c3499b44ee837ae0205-Swetland, K]
Subject: Thermal Desorption Units
Location: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR
Start: 8/21/2017 2:00:00 PM
End: 8/21/2017 3:00:00 PM
Show Time As: Tentative

Appointment

From: Gerhard, Sasha [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=409F48684EB4422CB13177FC9702D0FA-GERHARD, SASHA]
Sent: 9/5/2017 8:49:25 AM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Accepted: meeting with Tradebe technical reps
Location: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR
Start: 9/28/2017 2:00:00 PM
End: 9/28/2017 3:30:00 PM
Recurrence: (none)

Appointment

From: Young, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26404C78D3DC441F810AC723CF8F9D49-JBIEGELS]
Sent: 9/1/2017 5:31:12 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Accepted: meeting with Tradebe technical reps
Location: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR
Start: 9/28/2017 2:00:00 PM
End: 9/28/2017 3:30:00 PM
Recurrence: (none)

Message

From: Tita LaGrimas [Tita.LaGrimas@tradebe.com]
Sent: 9/1/2017 3:37:43 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: RE: Possible meeting days/times

Thank you Sir, it has been some time since we've been at your offices therefore the information you provided is greatly appreciated. We are all making our travel arrangements today! Thank you again for this opportunity and I will stay in contact with you when you return from vacation.

Have a wonderful restful vacation!

Respectfully,

Tita

Tita LaGrimas
Executive VP of Regulatory Affairs
Tradebe Environmental Services, LLC

1433 E 83rd Ave, Suite 200
Merrillville, IN 46410 United States
Office: +1 (219) 354-2352
www.tradebeusa.com



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From: Galbraith, Michael [mailto:Galbraith.Michael@epa.gov]
Sent: Friday, September 01, 2017 10:31 AM
To: Tita LaGrimas
Subject: Re: Possible meeting days/times

thanks! Have you folks ever been to our office? We are not in downtown dc, but rather in crystal city (Arlington Virginia) across the river from dc.

Building is called: One Potomac Yard (South)
Address: 2777 Crystal Drive, Arlington, VA 22202

We currently have room 6100 reserved. When you get here i'll have to check you in - you can call me from the guard desk (605-0567).

Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

From: Tita LaGrimas <Tita.LaGrimas@tradebe.com>

Sent: Friday, September 1, 2017 10:01 AM

To: Galbraith, Michael

Subject: RE: Possible meeting days/times

I almost forgot! Most importantly HAVE A AWESOM VACATION!!!

Tita LaGrimas

Executive VP of Regulatory Affairs
Tradebe Environmental Services, LLC

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Tradebe USA

www.tradebeusa.com

Tradebe Environmental Services, LLC, an international leader in waste
reclamation and recycling solutions, completed the purchase of Badger
Disposal of WI, Inc ...



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From: Tita LaGrimas

Sent: Friday, September 01, 2017 8:55 AM

To: 'Galbraith, Michael'

Subject: RE: Possible meeting days/times

Good morning Mr. Galbraith!

Sergio and the Team confirmed September 28, 2017 at 10:00 to 11:30 EST for our meeting.

Regarding attendance, I defer to your wisdom and knowledge Sir, hoping we meet additional members of USEPA's Team that is reviewing ETC's comments and taking part in the decision of SDS's future.

Thank you so much for this opportunity.

Respectfully,

Tita

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Tradebe USA

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Tradebe Environmental Services, LLC, an international leader in waste reclamation and recycling solutions, completed the purchase of Badger Disposal of WI, Inc ...

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From: Galbraith, Michael [<mailto:Galbraith.Michael@epa.gov>]
Sent: Thursday, August 31, 2017 2:07 PM
To: Tita LaGrimas
Subject: RE: Possible meeting days/times

No worries. FYI – I'm working tomorrow (from home) and then I'm on vacation all next week

Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

(703) 605-0567

From: Tita LaGrimas [<mailto:Tita.LaGrimas@tradebe.com>]
Sent: Thursday, August 31, 2017 2:32 PM
To: Galbraith, Michael <Galbraith.Michael@epa.gov>
Subject: Re: Possible meeting days/times

Hi Mr. Galbraith!

I apologize for the delayed response I just let a meeting and will respond when I arrive at office.
Thank you for understanding.
Respectfully,
Tita

Sent from my iPhone

On Aug 31, 2017, at 11:08 AM, Galbraith, Michael <Galbraith.Michael@epa.gov> wrote:

Hi Tita. I checked our calendars. Some possible days and times that work for us are provided below. It's usually harder to schedule meetings on Mondays and Fridays, but if that's the only days you can come in let me know, most of us can adjust our schedules.

We were thinking about limiting this meeting to staff and first line supervisors on our end (and if other supervisors wanted to attend and they were available we'd recommend they sit in time permitting). If we were bump this up to higher management levels it could be harder to schedule and we wouldn't necessarily be able to get into the level of technical detail in our discussions that I think we need to. If that is not what you were envisioning let me know (we'll adjust to whatever you think is best).

Possible days and times:

Sept 19, 11:30-1; Sept 20, 12:30-2:00; Sept 21, 12:00-1:30

Sept 26, 12-1:30; Sept 28, 10-1130

Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

(703) 605-0567

Message

From: Tita LaGrimas [Tita.LaGrimas@tradebe.com]
Sent: 9/1/2017 2:01:49 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
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Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

(703) 605-0567

Message

From: Tita LaGrimas [Tita.LaGrimas@tradebe.com]
Sent: 9/1/2017 1:55:03 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
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Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

(703) 605-0567

Message

From: Tita LaGrimas [Tita.LaGrimas@tradebe.com]
Sent: 8/31/2017 11:00:12 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: RE: Possible meeting days/times

Hi Michael! I am going to try to work from home as well!
I did speak to the Team and they are all checking their calendars so that we can set a date tomorrow.
Thank you so much for this opportunity!
Have a great evening, I will email you tomorrow.
Respectfully,
Tita

Tita LaGrimas
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Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

(703) 605-0567

Message

From: Tita LaGrimas [Tita.LaGrimas@tradebe.com]
Sent: 8/31/2017 6:32:02 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Re: Possible meeting days/times

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Permits Branch (5303P)
Program Implementation/Information Division
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Washington, DC 20460

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Message

From: Kohler, Amanda [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=665A6CDD3371457FB03D5184F58F7A4A-KOHLER, AMANDA]
Sent: 8/30/2017 11:52:52 AM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: Request for meeting on TDUs

I will be out of the office until after Labor Day. In my absence, please contact Jeff Gaines at gaines.jeff@epa.gov or 703-308-8655.

Message

From: Devlin, Betsy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B76A4BF5AFC84459A6BF2A6A4645F40F-BDEVLIN]
Sent: 8/30/2017 11:52:53 AM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: Request for meeting on TDUs

Thank you for your message. I will be out of the office until Tuesday September 5 with limited access to e mail. Should you need immediate assistance on Coal Combustion Residuals (CCR) issues, please contact Frank Behan. On all other matters, please contact Jessica Young on Friday August 25, Frank Behan on Monday August 28, and Kim Kirkland from Tuesday August 29 through Friday, September 1.

Message

From: Radtke, Meghan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7A364F0FAAD54A79BE238288FA3496CF-RADTKE, MEGHAN]
Sent: 8/30/2017 11:52:53 AM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: Request for meeting on TDUs

Hi,

I'm out of the office through September 6th. If you need immediate assistance, please contact Richard Huggins.

Thank you!

Meghan

Message

From: Guernica, Mimi [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C8A7D898ED74B678830C17EE521A045-MGUERNIC]
Sent: 8/30/2017 11:52:53 AM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: Request for meeting on TDUs

I will be out of the office on Monday August 28 through Tuesday August 29 with intermittent access to email.
If you need immediate assistance, please contact Sonya Sasseville at sasseville.sonya@epa.gov

Mimi Guernica
Associate Director, PIID, ORCR

Message

From: Swetland-Johnson, Karen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A916F4DAC0D84C3499B44EE837AE0205-SWETLAND, K]
Sent: 8/25/2017 3:13:57 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: RE: 2017 EI Digest Gathering Speakers/Panel Participants

Thanks for sharing this. Meghan just asked me to make slides for Barnes (but didn't provide the agenda or attendees). This will help!

From: Galbraith, Michael
Sent: Friday, August 25, 2017 6:51 AM
To: Gerhard, Sasha <Gerhard.Sasha@epa.gov>; Behan, Frank <Behan.Frank@epa.gov>; Atagi, Tracy <Atagi.Tracy@epa.gov>; Young, Jessica <Young.Jessica@epa.gov>
Cc: Swetland-Johnson, Karen <Swetland-Johnson.Karen@epa.gov>; Lue, Winston <Lue.Winston@epa.gov>
Subject: Fw: 2017 EI Digest Gathering Speakers/Panel Participants

FYI - upcoming ei digest meeting barnes is attending. It looks like tradebe will talking.

I also cc'd a couple pcb folks since clean earth and heritage crystal kleen are on the agenda - not sure if they will be discussing pcb issues (used oil).

Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

From: Guernica, Mimi
Sent: Thursday, August 24, 2017 5:59 PM
To: Galbraith, Michael; Kohler, Amanda
Cc: Gaines, Jeff
Subject: FW: 2017 EI Digest Gathering Speakers/Panel Participants

See agenda. Thermal treatment and desorption are on the agenda and Tradebe (and others) will attend.

From: Johnson, Barnes
Sent: Wednesday, August 23, 2017 7:47 AM
To: OLEM ORCR DDS <OLEMORCRDDS@epa.gov>
Cc: ORCR IO <ORCR_IO@epa.gov>; Lopez, Laura <Lopez.Laura@epa.gov>
Subject: FW: 2017 EI Digest Gathering Speakers/Panel Participants

FYI – please note the attendees and agenda. We will be calling upon the office to help develop slides for my presentation at this event coming up in late September.

Barnes Johnson

USEPA | Resource Conservation and Recovery | Tel 703-308-8895 |
johnson.barnes@epa.gov | [@EPAland](#)


From: Arlette [<mailto:abarnhiser@envirobiz.com>]
Sent: Thursday, August 17, 2017 11:46 AM
To: Arlette <abarnhiser@envirobiz.com>
Subject: 2017 El Digest Gathering Speakers/Panel Participants

Dear El Digest Gathering Speakers, and Panel Participants:

Attached is the latest Agenda and Attendee List, please look it over and send me any corrections via Email ASAP.

Speakers and Panel Participant, what I need from you, as soon as possible




 Short Bio
Photo (if you have one)

Panel participant, we will send questions out the beginning of September.

Speakers,

 A title for your presentation with a brief description.

 a copy of your presentation, preferably by Sept 12. Also make sure you have a copy with you on a UB Drive at the Gathering

Looking forward to seeing you all soon.

Arlette Barnhiser

*2017 El Digest Gathering
September 18-21, 2017
Coronado Island Marriott
San Diego, CA*

Arlette Barnhiser
The Envirobiz Group
6100 Golden Valley Road
Minneapolis, MN 55422
abarnhiser@envirobiz.com
952-831-2473

Appointment

From: Kohler, Amanda [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=665A6CDD3371457FB03D5184F58F7A4A-KOHLER, AMANDA]
Sent: 7/25/2017 1:31:12 PM
To: Guernica, Mimi [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6c8a7d898ed74b678830c17ee521a045-MGUERNIC]; Sasseville, Sonya [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9302bd775fa84bebbbe0c430316f76c6-SSASSEVI]; ORCR RCRA Permits Team [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d78be51b346347538e7c315a2c6c66f5-ORCR RCRA P]
CC: Sommer, Tab [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=891a73d2bb1a4d6a8a7727f05ec50161-TTESNAU]; Hansen, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d9de096f6f084bc2be70029e26ac687e-GHANSEN]; Colon, Lilybeth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6ae6d0cc3f984b08b8101569a2cf6308-Colon, Lilybeth]; Gaines, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c0ce5613e3c245b09c6ccad71cf3062a-JGAINE02]; Krueger, Anna [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c2b3ca3f71784b6a8d35709df4b3bdd6-Krueger, An]; Swetland-Johnson, Karen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a916f4dac0d84c3499b44ee837ae0205-Swetland, K]; Buzzell, Tricia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1d1892b38f81459f97c51d914dddc73b-pbuzze02]; Gerhard, Sasha [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=409f48684eb4422cb13177fc9702d0fa-Gerhard, Sasha]; Pease, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3853cbe6e34644309fe19981dbdf3716-Pease, Michael]
Subject: Check-in on RCRA PIT and FA for Branch Chiefs Mtng
Attachments: PIT_Issue_Summary_TDU_7.24.17.docx; PIT_Issue_Summary_PCC_7.24.17.docx; PIT_Issue_Summary_AABBCC_7.24.17.docx; PIT_Issue_Summary_LDRs_7.24.17.docx; Aug 2017 RCRA BC Mtg Session Description and Outline.docx; PIT Briefing 7.24.17.pptx; RCRA BC FA Presentation.pptx
Location: DCRoomPYS6731/DC-Potomac-Yard-South-ORCR
Start: 7/25/2017 3:00:00 PM
End: 7/25/2017 3:45:00 PM
Show Time As: Tentative

The purpose of this meeting is to check-in with Mimi and Sonya on (1) RCRA PIT; and (2) financial assurance materials in advance of the RCRA Branch Chiefs meeting.

RCRA PIT Materials (attached)

- Slide presentation
- Session design
- PIT Issue Papers
 - WAP/LDR
 - TDUs
 - AA/BB/CC
 - Post-closure Care Implementation

Financial Assurance Materials (attached)

- Slide presentation

Appointment

From: Celeste, Laurel [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8F5194A050CE4B758E02E6835FE0B43D-CELESTE, LAUREL]
Sent: 7/18/2017 7:42:37 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Accepted: Tradebe and TDUs
Location: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR
Start: 7/27/2017 7:00:00 PM
End: 7/27/2017 8:00:00 PM
Show Time As: Busy

Message

From: Tita LaGrimas [Tita.LaGrimas@tradebe.com]
Sent: 7/17/2017 6:19:45 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: RE: meeting

Hi Mr. Galbraith!

Thank you for your time today, I will hold on scheduling a meeting to your office until I speak to you again.

Things are moving a lot slower and with a little more difficulty because everyone is out on summer vacation! I'm realizing I should have done the same ☺

Have a great day and I look forward to talking to you!

Respectfully,

Tita

Tita LaGrimas
Executive VP of Regulatory Affairs
Tradebe Environmental Services, LLC

1433 E 83rd Ave, Suite 200
Merrillville, IN 46410 United States
Office: +1 (219) 354-2352
www.tradebeusa.com



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From: Galbraith, Michael [mailto:Galbraith.Michael@epa.gov]
Sent: Monday, July 17, 2017 9:10 AM
To: Tita LaGrimas
Subject: meeting

Hi Tita. Got your voicemail. I'll give you a call sometime tomorrow. I'm hoping to be able to convey to you some info that may influence whether you think a flyin is necessary.

Things move slowly here in the summer months - I need to hear back from a couple folks before I give you a call.

Hope your summer is going well!

Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Message

From: Devlin, Betsy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B76A4BF5AFC84459A6BF2A6A4645F40F-BDEVLIN]
Sent: 7/17/2017 12:13:54 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: tradebe

Thank you for your message. I will be out of the office until Thursday, July 27th with limited access to e mail. Should you need immediate assistance on Coal Combustion Residual (CCR) issues, please contact Frank Behan. On all other matters, please contact Jessica Young.

Message

From: Atagi, Tracy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EBCFD670077440DFB63A691749F20AF2-TATAGI]
Sent: 7/17/2017 12:13:54 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: tradebe

I will be out of the office until Monday, July 24th. If you need to speak to someone immediately, contact Jessica Young at 703-308-0026.

Message

From: Kohler, Amanda [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=665A6CDD3371457FB03D5184F58F7A4A-KOHLER, AMANDA]
Sent: 7/26/2017 6:56:53 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: Advance material for tomorrow's TDU pre-brief

I am out of the office until August 2. In my absence, please contact Jeff Gaines at gaines.jeff@epa.gov or 703-308-8655.

Message

From: Chang, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=45068FFDD29E4AE699263BE4219D70A0-CHANG, PATRICK]
Sent: 7/26/2017 6:56:52 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: Advance material for tomorrow's TDU pre-brief

This is an automated reply.

I will be out of the office on Wednesday, 7/26/17. I will be checking emails occasionally during the day and will try to respond. If I'm unable to reply on Wednesday, I will reply when I return to the office on Thursday, 7/27. If you need immediate assistance on a CERCLA matter, please contact Charles Openchowski. For RCRA matters, please contact Ceci De Robertis.

Thank you.

Appointment

From: Guernica, Mimi [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C8A7D898ED74B678830C17EE521A045-MGUERNIC]
Sent: 7/7/2017 1:53:32 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Accepted: Tradebe and TDUs
Location: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR
Start: 7/27/2017 7:00:00 PM
End: 7/27/2017 8:00:00 PM
Show Time As: Busy

Message

From: Lue, Winston [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=80B95522A0C84AA5A9AAE6D1E5244B62-WLUE]
Sent: 8/8/2017 12:47:42 PM
To: Swetland-Johnson, Karen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a916f4dac0d84c3499b44ee837ae0205-Swetland, K]; Smeraldi, Josh [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7011c5f0adab4bdc860a26380510f40b-Smeraldi, J]; Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
CC: Kohler, Amanda [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=665a6cdd3371457fb03d5184f58f7a4a-Kohler, Amanda]; Hansen, Gail [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d9de096f6f084bc2be70029e26ac687e-GHANSEN]
Subject: RE: List of PCB incinerators

Td*x is a thermal desorption unit with condenser (cooling system). This technology meets the criteria of thermal technology. Destruction of PCBs is not involved but removal of PCB by condensation (with chillers) occurs.

From: Swetland-Johnson, Karen
Sent: Thursday, August 03, 2017 11:22 AM
To: Smeraldi, Josh <Smeraldi.Josh@epa.gov>; Galbraith, Michael <Galbraith.Michael@epa.gov>; Lue, Winston <Lue.Winston@epa.gov>
Cc: Kohler, Amanda <Kohler.Amanda@epa.gov>; Hansen, Gail <Hansen.Gail@epa.gov>
Subject: RE: List of PCB incinerators

I have attached the approval documents from 2013 when TD*X was an ORCR approval. Mike, you can use these to decide if this technology meets the criteria for thermal treatment/disposal.

Thanks,
Karen

From: Smeraldi, Josh
Sent: Thursday, August 03, 2017 9:58 AM
To: Galbraith, Michael <Galbraith.Michael@epa.gov>; Lue, Winston <Lue.Winston@epa.gov>
Cc: Swetland-Johnson, Karen <Swetland-Johnson.Karen@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Hansen, Gail <Hansen.Gail@epa.gov>
Subject: RE: List of PCB incinerators

TDX in Clive, UT

Winston should have the documents, they recently submitted a test plan. I am having trouble accessing my files right now.

Josh

From: Galbraith, Michael
Sent: Thursday, August 03, 2017 9:05 AM
To: Lue, Winston <Lue.Winston@epa.gov>
Cc: Swetland-Johnson, Karen <Swetland-Johnson.Karen@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Smeraldi, Josh <Smeraldi.Josh@epa.gov>; Hansen, Gail <Hansen.Gail@epa.gov>
Subject: List of PCB incinerators

Winston – I'm going thru all the PCB approvals the regions provided us a year or so ago. I pulled out all the regional approvals that cover incineration, or any other thermal treatment approval that involves combustion of PCBs (e.g., this would not include companies that heat the waste and later condenses what gets volatilized).

I created a list of the above discussed facilities (by region), which is attached. **Could you please take a look at this list and let me know if I'm missing any facilities?**

Anyone else feel free to chime in.

Thanks!

Mike Galbraith
Permits Branch (5303P)
Program Implementation/Information Division
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

(703) 605-0567

Appointment

From: Gerhard, Sasha [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=409F48684EB4422CB13177FC9702D0FA-GERHARD, SASHA]
Sent: 7/6/2017 8:49:52 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Declined: Tradebe and TDUs
Location: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR
Start: 7/27/2017 7:00:00 PM
End: 7/27/2017 8:00:00 PM
Show Time As: Busy

I should be landing at Dulles at that time;-)

Appointment

From: Young, Jessica [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26404C78D3DC441F810AC723CF8F9D49-JBIEGELS]
Sent: 7/6/2017 7:40:04 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Accepted: Tradebe and TDUs
Location: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR
Start: 7/27/2017 7:00:00 PM
End: 7/27/2017 8:00:00 PM
Show Time As: Busy

Appointment

From: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=USER8C17DD2E]
Sent: 7/6/2017 7:33:21 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Accepted: Tradebe and TDUs
Location: DCRoomPYS6100Projector/DC-Potomac-Yard-South-ORCR
Start: 7/27/2017 7:00:00 PM
End: 7/27/2017 8:00:00 PM

Recurrence: (none)

Your request was accepted.

Sent by Microsoft Exchange Server 2016

Message

From: Sasseyville, Sonya [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9302BD775FA84BEBBBE0C430316F76C6-SSASSEVI]
Sent: 7/6/2017 7:33:19 PM
To: Galbraith, Michael [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0abf7f5c1a5e462e8096cb58ef9757eb-MGALBRAI]
Subject: Automatic reply: Tradebe and TDUs

While I am out on leave today through July 12th, and again on the 14th, Mimi Guernica will be Acting Director of PIID.

I will be in training July 13th, and will check emails from time to time.

ATTACHMENT II-1-10

MANAGEMENT OF WASTE CONTAINING POLYCHLORINATED BIPHENYLS
(PCBs) AT THE MIXED WASTE FACILITY

1 INTRODUCTION

This Attachment governs the acceptance, storage, and disposal of PCB wastes in the Mixed Waste Landfill Cell (MWLC). This Attachment describes controls for the management of PCB wastes at the Permittee's facility by addressing areas of characterization, acceptance, unloading, handling, storage, spill prevention and containment, liquid content, and wind dispersal.

2 SCOPE

This Attachment applies to all PCB/Radioactive Waste or PCB/Mixed Waste received at the Permittee's facility for management in the MWLC and is subject to Ground Water Quality Discharge Permit UGW450005, as amended, Radioactive Material License UT 2300249, as amended, the TSCA Coordinated Approval and Waiver of Technical Requirements, as amended, this Permit, and the Approval Order from the Utah Division of Air Quality DAQE-AN0717016-06, as amended. The Permittee shall not use any provision in any other issued Permit, Order, or License to diminish or otherwise negate conditions of this Permit.

3 OBJECTIVES

Compliance with this Attachment is designed to prevent PCB waste from coming into direct contact with the environment and to protect human health. This Attachment outlines controls or requirements associated with:

- a. PCB Waste Identification (Section 4)
- b. Prohibitions (Section 5)
- c. PCB Characterization (Section 6)
 1. Pre-shipment Information
 2. Certifications
- d. PCB Waste Acceptance (Section 7)
 1. Incoming Load Inspections
 2. Free-Liquids and Leaking Shipments
 3. Discrepancy Resolution
- e. Frequency of Analysis and Sample Collection (Section 8)
 1. Non-Conforming Results
- f. PCB Waste Storage (Section 9)
 1. Facility Inspections
 2. PCB Waste Segregation
- g. PCB Waste Disposal (Section 10)

- 1. PCB Article Management
- h. Environmental Monitoring (Section 11)
- i. Reporting and Notification (Section 12)
- j. Decontamination (Section 13)
- k. Reuse of PCB Containers (Section 14)
- l. Spill Response and Prevention (Section 15)
- m. Retention of Records (Section 16)

4 PCB WASTE IDENTIFICATION

- a. The Permittee may accept PCB and non-PCB wastes as defined in Section 4.c.ii. PCB wastes include PCB/Radioactive waste and PCB/Mixed Waste.
- b. PCB/Radioactive waste and PCB/Mixed Waste shall be defined as wastes that are characterized as radioactive or mixed and that also contain PCBs.
- c. PCB/Radioactive waste or PCB/Mixed Waste to be accepted for disposal shall be subject to the following definitions:
 - i. Decontamination – The appropriate procedures, defined in 40 CFR 761.79 shall be performed to remove PCBs from non-porous surfaces, concrete, and non-porous surfaces covered with a porous surface, such as paint or coating on metal.
 - ii. Drained – All free-flowing liquids have been removed from the PCB Item. Remaining liquid within the PCB Item shall be \leq one percent of the total volume of the PCB Item. If the PCB Item will not be flushed, it shall be filled with sufficient absorbent material to absorb any remaining liquid.
 - iii. Flushed – After removing free-flowing liquids, the PCB Item has been filled with a solvent and allowed to stand for 18 continuous hours prior to the solvent being removed and disposed. This procedure shall be conducted in accordance with 40 CFR 761.60(b)(1)(i)(B).
 - iv. PCB – Any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees or any combination of substances which contains such substance.
 - v. PCB waste shall be classified for disposal as follows:
 - 1. Non-PCB “Waste” – PCBs or PCB Items with PCB as-found concentrations < 50 ppm that have not been diluted to attain the final concentration, or PCB Items in which the PCBs have been removed through the decontamination procedures of 40 CFR 761.79. Wastes that have been diluted to PCB concentrations < 50

ppm remain PCB or PCB-Contaminated “Waste” based upon the non-diluted PCB concentration. This exception is applicable to PCB bulk remediation wastes described in 4.h.i of this Attachment.

2. PCB-Contaminated “Waste” – PCBs or PCB Items containing PCBs at concentrations ≥ 50 ppm but < 500 ppm, or a non-porous surface having a surface PCB concentration $> 10 \mu\text{g}/100 \text{ cm}^2$ but $< 100 \mu\text{g}/100 \text{ cm}^2$, measured by a standard wipe test as defined in 40 CFR 761.123.
 3. PCB “Waste” – PCBs or PCB Items containing PCBs at concentrations ≥ 500 ppm, or have surface PCB concentrations $> 100 \mu\text{g}/100 \text{ cm}^2$ measured by a standard wipe test as defined in 40 CFR 761.123.
- vi. PCB Item – Any PCB Article, PCB Article Container, PCB Container, PCB Equipment, or anything that deliberately or unintentionally contains or has as a part of it any PCB or PCBs.
 - vii. Incidental Liquid – Liquid from incidental sources, such as precipitation, condensation, leachate or load separation [40 CFR 761.60(a)(3)]. To be considered incidental liquid, the liquid must be analyzed and have a TOC less than 10% or a PCB concentration less than 500 ppm.
 - viii. PCB Item definitions such as PCB Transformers, PCB Capacitors, PCB Articles, PCB Containers, and PCB Article Containers are found in 40 CFR 761.3.
- d. PCB/Radioactive Waste or PCB/Mixed Waste to be accepted for disposal at the Mixed Waste Facility shall either meet the criteria specified in R315-315-7 (4.e, below), or the TSCA Coordinated Approval (4.f, below), or be acceptable at a municipal or non-municipal non-hazardous landfill (4.g, below), or meet the bulk waste descriptions in 4.h, below, or be acceptable for processing through the thermal desorption unit in accordance with the thermal desorption Toxic Substance Control Act (TSCA) Approval administered by the United States Environmental Protection Agency (EPA; see 4.i, below).
 - i. Several of these waste groups are also acceptable at the LLRW facilities. PCB/Radioactive Waste to be accepted for disposal at the LLRW facilities shall meet the criteria specified in R315-315-7 (40 CFR 761) designated for disposal in a municipal or non-municipal non-hazardous landfill. These groups are described in Attachment II-1-10.1 of this Permit.

- e. The specific PCB waste types that meet the criteria in R315-315-7 may be disposed at the Mixed Waste or LLRW facilities. These waste types shall include:
- i. Any non-liquid waste containing PCBs at concentrations < 50 ppm (non-PCB) (R315-315-7(2)(a)).
 - ii. Intact, non-leaking PCB Small Capacitors from fluorescent lights (R315-315-7(2)(c)) in which the potting material contains less than 50 ppm PCBs.
 - iii. PCB bulk product waste,
 - 1. defined as plastics (such as plastic insulation from wire or cable; radio, television and computer casings; vehicle parts; or furniture laminates); preformed or molded rubber parts and components; applied dried paints, varnishes, waxes or other similar coatings or sealants; caulking; Galbestos; non-liquid building demolition debris; or non-liquid PCB bulk product waste from the shredding of automobiles or household appliances from which PCB small capacitors have been removed (shredder fluff). See R315-315-7(3)(b)(i) and R315-315-7(3)(b)(v) [40 CFR 761.62(b)(1)(i)]; or
 - 2. other PCB bulk product waste, sampled in accordance with the protocols set out in 40 CFR 761 Subpart R, that leaches PCBs at < 10 µg/L (10 ppb) of water measured using a procedure used to simulate leachate generation. See R315-315-7(3)(b)(v) [40 CFR 761.62(b)(1)(ii)].
 - iv. Drained PCB-Contaminated (PCB concentration ≥ 50 ppm and < 500 ppm) Articles (including Electrical Equipment). See R315-315-7(3)(b)(ii) [40 CFR 761.60(b)(6)(ii)(A) and 761.60(b)(4)].
 - v. Non-liquid cleaning materials and personal protective equipment waste at any concentration, including non-porous surfaces and other non-liquid materials such as rags, gloves, booties, other disposable personal protective equipment, and similar materials resulting from cleanup activities of PCB remediation wastes. See R315-315-7(3)(b)(iv) [40 CFR 761.61(a)(5)(v)(A)].
 - vi. Non-liquid wastes from wastes generated as a result of research and development activities and chemical analysis of PCBs authorized under R315-315-7(3)(b)(vi) [40 CFR 761.64(b)(2)].

- f. Wastes that meet the TSCA Coordinated Approval shall be disposed at the Mixed Waste facility only. These waste types include:
- i. Drained PCB Articles that previously contained PCB concentrations ≥ 500 ppm. In accordance with 40 CFR 761.60(b), this includes:
 - 1. PCB Hydraulic Machines with PCB concentrations $< 1,000$ ppm that have been drained in accordance with 4.c.ii;
 - 2. PCB Hydraulic Machines with PCB concentrations $\geq 1,000$ ppm that have been either flushed and drained in accordance with 4.c.ii&iii or decontaminated in accordance with 40 CFR 761.79;
 - 3. Drained PCB Electrical Equipment except PCB Transformers and Hydraulic Machines; and
 - ii. PCB Transformers that previously contained PCBs at concentrations ≥ 500 ppm and that have been flushed and drained in accordance with 40 CFR 761.60(b)(1)(i)(B) and 4.c.ii & 4.c.iii.
 - 1. Transformers or Hydraulic Machines that have not been drained or flushed may be received for management at the Mixed Waste Facility.
 - 2. If necessary, the Permittee shall drain all free-flowing liquids from PCB Transformers or Hydraulic Machines, and perform an 18-hour flush in accordance with 40 CFR 761.60(b)(1)(i)(B) prior to disposal in the Mixed Waste Landfill Cell.
 - iii. Drained PCB Containers that formerly held PCBs at concentrations ≥ 500 ppm, provided that all free-flowing liquid is removed from the container (see 40 CFR 761.60(c)(1)(ii)).
 - 1. PCB Containers that hold waste may be disposed as part of the waste and do not need to be manifested as a separate waste type.
 - iv. Non-liquid PCB remediation wastes that the generator has determined to be in the performance-based disposal category (40 CFR 761.61(b)).
 - v. Non-liquid remediation wastes with PCB concentrations ≥ 50 ppm that the generator has removed those wastes under an EPA approval category (40 CFR 761.61(a) or (c)).

- vi. Solidified wastes from liquids that were generated during transportation or storage. Liquids shall contain < 10% total organic compound and the solidified wastes shall pass the paint filter test (40 CFR 761.60(a)(3)).
- g. Municipal and non-municipal non-hazardous landfill acceptable material may be disposed at the Mixed Waste or LLRW facilities. These waste types shall include:
 - i. PCB Items that have been drained and decontaminated in accordance with the PCB regulations at 40 CFR 761.79 (see 40 CFR 761.79(a)(4));
 - ii. intact, non-leaking PCB Small Capacitors (see 40 CFR 761.60(b)(2)(ii)); and
 - iii. drained PCB Containers that were used to contain PCBs at concentrations < 500 ppm, provided that all free-flowing liquid is removed from the container (see 40 CFR 761.60(c)).
 - 1. If the PCB Container also held other hazardous constituents, appropriate cleaning requirements for these constituents shall be performed and documented.
 - 2. PCB Containers that hold waste may be disposed as part of the waste and do not need to be manifested as a separate waste type.
- h. Bulk Wastes shall include:
 - i. Non-liquid PCB remediation wastes from the Performance-based disposal under 40 CFR 761.61(b). This waste type, regardless of PCB concentrations, shall be disposed at the Mixed Waste facility.
 - ii. Non-liquid PCB remediation wastes with PCB concentrations < 50 ppm (40 CFR 761.61(a)(5)(i)(B)(2)(ii) and 40 CFR 761.61(c)). This waste type may be disposed at the Mixed Waste or LLRW facilities;
 - iii. Non-liquid PCB remediation wastes with PCB concentrations \geq 50 ppm ((See 40 CFR 761.61(a)(5)(i)(B)(2)(iii) or 40 CFR 761.61(c)). This waste type shall be disposed at the Mixed Waste facility only; and
 - iv. PCB bulk product waste, as defined in 40 CFR 761.3. This waste includes:
 - 1. the wastes described in 4.e.iii. of this Attachment. This waste type may be disposed at the Mixed Waste or LLRW facilities;

2. other PCB bulk product waste that leaches ≥ 10 $\mu\text{g/L}$ PCBs (e.g., paper or felt gaskets contaminated by liquid PCBs). This waste type shall be disposed at the Mixed Waste facility only; and
 3. non-leaking fluorescent light ballasts containing PCBs (≥ 50 ppm) in the potting material. This waste type shall be disposed at the Mixed Waste facility only.
- i. Wastes acceptable for thermal desorption processing shall be managed at the Mixed Waste facility only. These wastes shall be managed according to the requirements in Attachment II-1-12 and include:
- i. expected liquids containing PCBs at any concentration;
 - ii. PCB Large Capacitors (intact or no longer intact); and
 - iii. no longer intact, leaking PCB Small Capacitors.
- j. The following groups of PCB waste have been derived from the acceptable wastes described in 4.e. through 4.i. of this Attachment. Groups preceded with an asterisk (*) shall be disposed at the Mixed Waste facility only. Groups without an asterisk may be disposed at the Mixed Waste or LLRW facilities:
- i. * Flushed and drained PCB Transformers that previously contained PCBs at concentrations ≥ 500 ppm;
 - ii. * Fluorescent light ballasts containing PCBs (≥ 50 ppm) in the potting material;
 - iii. * Drained PCB Hydraulic Machines that previously contained PCBs at concentrations ≥ 50 ppm but $< 1,000$ ppm;
 - iv. * Flushed and drained PCB Hydraulic Machines that previously contained PCBs at concentrations $\geq 1,000$ ppm;
 - v. * Other Drained PCB Articles that previously contained PCBs at concentrations ≥ 500 ppm;
 - vi. * Drained PCB Containers that previously contained PCBs at concentrations ≥ 500 ppm;
 - vii. * Non-liquid PCB remediation wastes, regardless of PCB concentrations, from the Performance-based disposal under 40 CFR 761.61(b);
 - viii. * PCB Remediation Wastes that contain PCBs at concentrations ≥ 50 ppm or has surface PCB concentrations ≥ 100 $\mu\text{g}/100\text{cm}^2$ – includes both self-

implementing and risk-based disposal approvals under 40 CFR 761.61(a) and 761.61(c) (see 4.h.iii.);

- ix. * PCB Bulk Product Wastes that leach $\geq 10 \mu\text{g/L}$ PCBs;
 - x. * Intact or no longer intact PCB Large Capacitors or leaking PCB Small Capacitors that have been treated by the thermal desorption process;
 - xi. * PCB non-liquid wastes that have been treated by the thermal desorption process;
 - xii. Intact, non-leaking PCB Small Capacitors (including light ballasts with PCB concentrations $< 50 \text{ ppm}$ in the potting material);
 - xiii. Flushed and drained (or decontaminated) Hydraulic Machines that previously contained PCB concentration was $\geq 1,000 \text{ ppm}$;
 - xiv. Drained PCB-Contaminated Articles, including Electrical Equipment that previously contained PCBs at concentrations $\geq 50 \text{ ppm}$, and $< 500 \text{ ppm}$;
 - xv. Drained PCB Containers that previously contained PCBs at concentrations $< 500 \text{ ppm}$;
 - xvi. PCB Bulk Product Wastes that leach $< 10 \mu\text{g/L}$ PCBs;
 - xvii. PCB Bulk Remediation Wastes that contain PCBs at concentrations $< 50 \text{ ppm}$ or has surface PCB concentrations $< 100 \mu\text{g}/100\text{cm}^2$; and
 - xviii. Non-liquid PCB Waste from Research & Development.
- k. In accordance with 40 CFR 761.65(b)(2)(iii), the Permittee may store PCB and PCB contaminated wastes, prior to disposal, on permitted hazardous waste storage areas as long as any spills are cleaned up in accordance to the requirements within 40 CFR 761 (see Section 15 of this Attachment).

5 PROHIBITIONS

- a. The Permittee shall be prohibited from managing liquids that contain PCBs except:
 - i. when the liquids are contained within intact, non-leaking PCB Small Capacitors; or
 - ii. if the material is profiled for thermal desorption processing; or

- iii. if the liquid is incidental liquid.
- b. The Permittee shall be prohibited from managing PCB Large Capacitors (intact or no longer intact), as defined in 40 CFR 761.3, unless they are correctly profiled on a Waste Profile Record for thermal desorption processing.
- c. The Permittee shall be prohibited from disposing of PCB Transformers that previously contained PCBs at concentrations ≥ 500 ppm that have not been flushed and drained in accordance with 40 CFR 761.60(b)(1)(i)(B) and 4.c.ii and 4.c.iii.
- d. The Permittee shall be prohibited from disposing of PCB Hydraulic Machines with PCB concentrations $\geq 1,000$ ppm that have not been either flushed and drained in accordance with 40 CFR 761.60(b)(1)(i)(B) and 4.c.ii and 4.c.iii or decontaminated in accordance with 40 CFR 761.79.
- e. The Permittee shall be prohibited from receiving PCB Waste, PCB-Contaminated Waste, and Non-PCB Waste from a generator (or the generator's transporter) when there is not a current, valid, and acceptable Notice to Transport for the waste stream on file at the facility.
- f. With the exceptions noted in 5.f.i, the Permittee shall be prohibited from receiving PCB Waste from a generator (or the generator's transporter) if a complete and accurate hazardous waste manifest is not included with the shipment.
 - i. Non-PCB Waste and PCB-Contaminated Waste without other hazardous contaminants does not require a hazardous waste manifest.
- g. The Permittee shall be prohibited from disposing the waste categories marked with an asterisk in Section 4.j. at the LLRW facility.

6 PCB CHARACTERIZATION

- a. All shipments to the Mixed Waste facility that contain PCBs shall include a hazardous waste manifest.
- b. Prior to shipment, the Permittee shall obtain a description of the material to be managed at the facility. This characterization shall be documented using a Waste Profile Record. Only waste classified into one or more of the groups in 4.j. of this Attachment shall arrive at the Permittee's facility. A single waste stream may contain several groups (see 4.j. of this Attachment) of PCB wastes.
- c. Pre-shipment information from the generator shall include PCB, hazardous waste, and radioactive waste characterizations, as applicable. These characterizations

shall include minimum sampling parameters and frequency as required in the appropriate Permit or License.

- i. PCB/Mixed Waste characterizations shall be performed in accordance with Attachment II-1, *Waste Analysis Plan*.
- ii. PCB/Radioactive waste characterizations shall be performed in accordance with the current approved Waste Characterization Plan in the Permittee's Radioactive Material License.
- iii. PCB characterizations, when necessary, shall be performed using approved PCB sampling and testing methods provided in 40 CFR 761. These include:
 - 1. the container and electrical equipment sampling criteria in 40 CFR 761.60(g)(2)(ii);
 - 2. the extraction and analysis methods required in 40 CFR 761.61(a)(5)(i)(B)(2)(iv) and 40 CFR 761 Subparts N, O, P, and R; or
 - 3. an alternative extraction and analysis procedure validated under 40 CFR 761 Subpart Q.
- d. Flush/Drain/Decontamination Certifications
 - i. The following certifications are required for each applicable PCB Item prior to disposal in the Mixed Waste Landfill Cell:
 - 1. Flush and drain certifications and documentation of the addition of absorbent for PCB Transformers that contained PCBs at concentrations ≥ 500 ppm.
 - 2. Document presence of absorbent for drained PCB contaminated transformers that contained PCBs at concentrations < 500 ppm.
 - 3. Flush and drain certifications or decontamination certifications and documentation of the addition of absorbent for Hydraulic Machines with PCB concentrations $\geq 1,000$ ppm.
 - 4. Document presence of absorbent for drained Hydraulic Machines that contained $< 1,000$ ppm
 - ii. Certifications shall consist of the following:

1. A unique identification number for each PCB Item that was flushed/drained/decontaminated;
 2. A statement that the flush/drain/decontamination was performed in accordance with the appropriate regulations (see definitions in 4.c. of this Attachment);
 3. The date that the flush/drain/decontamination was performed; and
 4. An authorized signature and date signed.
- iii. The generator is required to supply these certifications on all PCB Transformers destined for direct disposal in the Mixed Waste Landfill Cell.
- iv. For flush, drain, or decontamination performed by the Permittee, the certification shall be kept in the operating record.
- e. PCB characterization analyses shall not be required; however, if PCB analyses are not performed and/or included on the Waste Profile Record the following shall be assumed:
- i. Transformers contained PCBs ≥ 500 ppm and flush and drain certifications shall be required.
 - ii. Hydraulic Machines are contaminated at PCB concentrations $\geq 1,000$ ppm and flush or decontamination certifications shall be required.
 - iii. PCB Containers contained PCBs at concentrations ≥ 500 ppm.
 - iv. PCB Bulk Remediation Wastes have concentrations ≥ 50 ppm.
 - v. PCB bulk product waste (other than those listed in 4.e.iii.(1)) leaches PCBs ≥ 10 $\mu\text{g/L}$.
- f. An analysis of PCB Aroclors is sufficient to characterize the concentration of PCBs within the waste.
- g. PCB waste shall not be diluted in order to avoid any provision of specifying a PCB concentration in accordance with 40 CFR 761. PCB concentration determination shall be made from “as-found” sampling. Re-sampling of waste in containers shall not be considered “as-found” sampling.
- h. Chemical analysis used for PCB quantitation shall be reported on a dry/weight or wet/weight basis as determined by the PCB waste form.

- i. The Permittee shall only accept analytical results from a Utah Department of Health certified laboratory.
- j. The Permittee shall make PCB waste management decisions based only on accurate and valid analytical data and information (including flush and decontamination certifications), and/or the conservative assumptions described in 6.e. of this Attachment.
- k. Only after the PCB components of the waste are characterized, analyzed (if necessary), and meet all of the requirements of this Attachment, this Permit, and other allied Licenses and Permits, shall the Permittee provide the generator with a Notice to Transport. The Notice to Transport shall indicate that the waste contains PCBs.
- l. The generator/transporter(s) shall attach a PCB mark to all articles, equipment, and containers in accordance with 40 CFR 761.40. If the generator/transporter(s) is not required to attach a PCB mark in accordance with 40 CFR 761.40 and the Permittee will be placing the PCB waste into storage, the Permittee shall place a label identifying the waste as PCB waste on each container, according to the requirements of 40 CFR 761.45, prior to the end of the shift in which the waste was off-loaded.

7 PCB WASTE ACCEPTANCE

- a. Waste containing PCBs shall be transported to the Permittee's facility in either PCB Containers or in lined containers (PCB Article Containers). The PCB Container or liner shall be of suitable material and construction to prohibit the release of PCB waste or non-waste materials at any time during transport or storage.
- b. The container requirements of 7.a. are not applicable to large PCB Articles or large PCB Electrical Equipment.
- c. Incoming PCB Item shipments shall contain flush and/or decontamination certifications, as appropriate, for each PCB Item requiring certification (see 6.d. of this Attachment).
- d. All PCB bulk shipments destined for disposal in the Mixed Waste Landfill Cell shall be weighed upon arrival at the Permittee's facility.
 - i. A weight discrepancy exists between the manifest and the shipment if there is a variation greater than 10 percent.

- e. All PCB containerized shipments destined for disposal in the Mixed Waste Landfill Cell shall be counted and weighed upon arrival at the Permittee's facility.
 - i. A count/weight discrepancy exists between the manifest and the shipment if:
 - 1. any variation in piece count, such as a discrepancy of one PCB container in a truckload; and
 - 2. variations greater than 10 percent in weight of PCB waste in containers.
- f. PCB Article shipments destined for disposal in the Mixed Waste Landfill Cell shall be counted upon arrival at the Permittee's facility.
 - i. A count discrepancy exists between the manifest and the shipment if there is any variation in piece count, such as a discrepancy of one PCB Article in a truckload.
 - ii. Discrepancy resolution shall be conducted in accordance with 7.j. of this Attachment for PCB/Mixed Waste or 7.l. of this Attachment for PCB/Radioactive Waste.
- g. Incoming Load Inspections
 - i. The Permittee shall perform an initial inspection of the shipment and shipping papers for compliance with this Permit, Department of Transportation (DOT) and Division of Radiation Control (DRC) shipment regulations. Instances of non-compliance shall be recorded in the facility operating record.
 - ii. Shipments shall be visually inspected and documented to confirm that the PCB waste meets the PCB waste group(s) as profiled in the Waste Profile Record (see 6.b. of this Attachment) and that no other PCB waste classifications are present in the shipment.
 - iii. Shipments shall be visually inspected and inspection documented to assure that the waste liner, when used, has not been breached and PCB waste has not come into contact with the container. The following requirements are not applicable to drained PCB Container shipments.
 - 1. If the PCB container or liner has been breached, the Permittee shall examine the analytical results for the waste within the PCB Container. If analytical results are not available, the waste may be assumed to contain the concentrations detailed in 6.e. of this

Attachment; or sampled in accordance with 40 CFR 761 to determine PCB contamination of the container. The PCB Container may be managed as follows:

- A. disposed within the Mixed Waste Landfill Cell;
 - B. reused in accordance with Section 14 of this Attachment; or
 - C. decontaminated in accordance with Section 13 of this Attachment.
2. The Permittee shall immediately withdraw its Notice to Transport from any generator whose PCB waste shipment has a container that has been breached. The Permittee shall not reinstate the Notice to Transport or issue a new Notice to Transport until a corrective action plan has been approved by the Permittee and notification has been provided to the Director with a copy of the corrective action plan and its approval.
- iv. Drained PCB Items shall be visually inspected to confirm that they are drained and that no free-flowing liquids are present.
- v. PCB Articles and PCB Containers shall be visually inspected for the occurrence of potential external contamination (stains). All potential external contamination shall be noted in the operating record.
- 1. Stains may be minor or major in accordance with the following definitions:
 - A. Minor Stains shall be defined as local staining around openings with no signs of contamination unevenly distributed away from the opening (e.g., signs of contamination running down the sides of the item).
 - B. Major Stains shall be defined as external contamination not associated with openings and/or signs of contaminant leakage unevenly distributed away from openings (i.e., not minor).
 - 2. Intact PCB Small Capacitors with stains shall be sampled for PCBs using a standard wipe test, as defined in 40 CFR 761.123, and analyzed for PCBs using an appropriate SW-846 method (defined in 40 CFR 761.272). If any PCBs are detected from the analytical swipe and the contamination source is unknown, the capacitor shall

be rejected as a leaking PCB Small Capacitor and shall be returned to the generator or treated by thermal desorption prior to disposal.

3. PCB Articles exhibiting major or minor stains that are not disposed on the date of arrival (see 10.d. of this Attachment) and require storage shall either be:
 - A. sampled for PCBs using a standard wipe test, as defined in 40 CFR 761.123, and analyzed for PCBs using an appropriate SW-846 method (defined in 40 CFR 761.272);
 - B. decontaminated (double wash/double rinse) in accordance with Section 13 of this Attachment; or
 - C. isolated from wastes that do not contain PCBs within the storage area so that liquids generated from PCB Articles shall be contained/absorbed separately from other storage area liquid accumulation (see Section 9.h. of this Attachment).
 - (1) isolation shall be required for stained PCB Articles that are awaiting the analytical results of 7.g.v.3.A.
4. If the analytical results from the wipe test of 7.g.v.3.A. detect PCBs at concentrations $> 10 \mu\text{g}/100 \text{ cm}^2$, the PCB Article shall be either:
 - A. immediately disposed in the Mixed Waste Landfill Cell;
 - B. decontaminated in accordance with Section 13 of this Attachment; or
 - C. isolated from wastes that do not contain PCBs within the storage area so that liquids generated from PCB Articles shall be contained/absorbed separately from other storage area liquid accumulation (see 9.h. of this Attachment).
5. Analytical results of the wipe test of major stains that detect PCBs at concentrations $> 10 \mu\text{g}/100 \text{ cm}^2$ or that are decontaminated, constitute a shipment discrepancy and the generator shall be notified within seven days of the discrepancy. The Director shall also be notified within 24 hours of receipt of analytical results or completion of decontamination activities.

h. Shrink-Wrapped PCB Articles

- i. The inspection requirements of 7.g.i. through 7.g.iii. shall be followed for shrink-wrapped PCB Articles.
- ii. Shrink-wrapped PCB Articles that have not been certified clean through visual inspection, wipe test sampling, decontamination, or generator surface decontamination certifications and that are placed into storage shall be isolated from wastes that do not contain PCBs within the storage area so that liquids generated from the shrink-wrapped PCB Articles shall be contained/absorbed separately from other storage area liquid accumulation (see 9.h. of this Attachment).
- iii. If potential major stains (defined in 7.g.v.1.) are noted through the shrink-wrap and the PCB Article is not disposed on the date of arrival (see 10.d. of this Attachment), and require storage, the generator shall be notified within 48 hours and asked to provide a certification that the external surface of the PCB Article has been inspected and/or decontaminated in accordance with 40 CFR 761.79.
 1. If a surface decontamination certification is not provided, the Permittee shall either
 - A. maintain isolation (from wastes that do not contain PCBs) of the PCB Article until disposal is accomplished; or
 - B. remove the shrink-wrap from the stained area and either:
 - (1) sample for PCBs using a standard wipe test, as defined in 40 CFR 761.123, and analyze for PCBs using an appropriate SW-846 method (defined in 40 CFR 761.272); or
 - (2) decontaminate (double wash/double rinse) in accordance with 40 CFR 761.375.
 - C. Shrink-wrapped PCB Articles awaiting the analytical results of 7.h.iii.1.B(1) shall be isolated from wastes that do not contain PCBs.
 - D. If the analytical results from the wipe test of 7.h.iii.1.B.(1) detects PCBs at concentrations $> 10 \mu\text{g}/100 \text{ cm}^2$, the shrink-wrapped PCB Article shall either be:
 - (1) immediately disposed in the Mixed Waste Landfill Cell;

- (2) decontaminated in accordance with Section 13 of this Attachment; or
 - (3) isolated from wastes that do not contain PCBs.
 - 2. Analytical results of the wipe test of major stains that detect PCBs at concentrations $> 10 \mu\text{g}/100 \text{ cm}^2$ or that are decontaminated, constitute a shipment discrepancy and the generator shall be notified within seven days of the discrepancy. The Director shall also be notified within 24 hours of receipt of analytical results or completion of decontamination activities.
 - iv. Shrink-wrapped PCB Articles that have been released from the isolation restrictions shall be marked accordingly.
- i. PCB/Mixed Waste Acceptance
 - i. Incoming shipments shall be sampled in accordance with 8.b. of this Attachment and shall be analyzed for incoming acceptance parameters as described in Attachment II-1, *Waste Analysis Plan*.
 - ii. The Permittee shall visually inspect each shipment for free liquids in accordance with Attachment II-1, *Waste Analysis Plan*. For containerized waste shipments, this inspection shall be conducted for each container in the shipment.
 - iii. If unexpected free liquids are discovered, one of the following actions shall be taken:
 - 1. the entire shipment may be rejected for receipt and disposal and shall be returned to the generator or another permitted facility that can accept the PCB liquid waste; or
 - 2. the specific containers with free liquids within the shipment may be rejected for receipt and disposal and shall be returned to the generator or another permitted facility that can accept the PCB liquid waste; or
 - 3. The liquid may be sampled and analyzed for TOC or for PCBs and managed as an incidental liquid in accordance with 10.j. of this Attachment if the TOC is less than 10% or the total PCB concentration is less than 500 ppm; or

4. the container of liquid PCB waste may be re-profiled for management as a waste that is allowed to have PCBs in liquid form, such as thermal desorption; or
5. the liquid may be separated from the solid portion of the waste and re-profiled separately for management as a waste that is allowed to have PCBs in liquid form, such as thermal desorption.
 - A. Waste that is re-profiled shall require the analyses described in Section II.3 of Attachment II-1, *Waste Analysis Plan*, prior to further management.
- iv. If a shipment arrives in a leaking condition, the Permittee shall manage the leaking shipment in accordance with Attachment II-6, *Contingency Plan*.
- v. When a determination has been made to reject a shipment or containers within a shipment, the Permittee shall withdraw the Notice to Transport for all PCB waste streams from that particular generator. The Permittee shall not reinstate the Notice to Transport(s) or issue new Notice to Transport(s) until a corrective action plan has been approved by the Permittee and notification has been provided to the Director with a copy of the corrective action plan and its approval.
- vi. Shipments of PCB Mixed Waste which remain in transportation equipment or vehicles (rail cars, flatbeds, vans, trucks, etc.) and which are awaiting analyses or results may remain at the Permittee's facility for up to ten days. Additional time may be granted if requested, in writing, prior to the conclusion of the ten-day period and approved by the Director.
- j. PCB/Mixed Waste Discrepancy Resolution
 - i. Where discrepancies are identified, the discrepancies shall be noted in the operating record and resolved with the generator.
 - ii. Discrepancies shall be addressed, resolved, and documented in the Operating Record prior to disposal.
 - iii. Shipments with discrepancies may be placed in storage pending resolution.
 - iv. After discrepancies have been addressed and resolved, the shipment shall be managed in accordance with this Attachment.
 - v. Discrepancies, such as simple, non-factual typographical errors that are overlooked or discovered at a later date, shall be resolved by making